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Journal House of Representatives

Monday May 11th 1844.

This being the day designated by his Excellency Elisha Bays Governor of the State of Arkansas, for the convening of the General Assembly of the State in extraordinary session; the House of Representatives met at the Dittie Block (the temporary buildings selected for that purpose by Hon J. M. Johnson Secretary of State) in the city of Little Rock, the seat of government for the State of Arkansas, at 12 o'clock M. in accordance with the following proclamation of his Excellency the Governor; viz;

Proclamation by the Governor.

To the members of the Senate and House of Representatives of the General Assembly of the State of Arkansas.

Events of the most extraordinary character, involving the peace and welfare of the people of the State, having recently transpired, as the Executive of the State I communicated these matters to the Executive of the State stating to him that I had been forcibly ejected from the Executive Office, and was prevented, by the intervention of Federal troops, from asserting, by force, my claim to said Office. At last on, this 22d day of April, A D 1844. I sent the following dispatch to the President:

To the President of the United States: As I cannot more with any troops to assert my claims to the Office of Governor, without a collision with the United States troops, which I will not bring about under any circumstances, I propose to call the Legislature together at an early day and

May 11. th 1874.

leave them to settle the question, as by law they alone have jurisdiction; but to do this, the members of the Legislature must have assurances of protection from you, and a guaranty that they may meet in safety. This will be a peaceful solution of the difficulty; and I will readily abide by the decision of the Legislature.

Elisha Baxter
Governor of Arkansas.

I was promptly assured by the President in the following language:

Washington April 22^d

Now Elisha Baxter

Little Rock Arkansas:

I heartily approve any adjustment, peaceably, of the pending difficulty in Arkansas—by means of the Legislative Assembly, the courts or otherwise; and I will give all the assistance and protection I can under the Constitution and Laws of the United States, to such modes of adjustment. I hope that the military forces on both sides will now disband.

U. S. Grant,
"President"

Now therefore, deeming the present occasion one of sufficient magnitude, and after such assurances received from the Executive of the Nation, I deem myself warranted in the exercise of the power vested in me by the Constitution of the State, to convene, and I do hereby convene, the Legislature of the State of Arkansas, to meet at Little Rock, the Capital of the State on Monday, the 11th day of May, A. D. 1874, at 12 o'clock M.

The testimony whereof I have hereunto set my hand & affixed my private Seal of the State not being at present accessible. Done at the Capital this Twenty Second day of April in the Year of our Lord One Thousand Eight Hundred & seventy four

Elisha Baxter

Governor of Arkansas

(Seal)

By the Governor

J. M. Johnson

Secretary of State

May 11th 1874.

The Speaker & Clerk of the House being absent

The House was called to order by Mr W. J. Davidson
Assistant Clerk

Then

On motion of Mr Sumpter. Mr X. J. Prindall was called
to the Chair as Speaker pro tem pro

After being then called it appeared that the following named
members were present & answered to their names viz:
Mr W. A. Pearley. Joseph Cleveland. P. H. Crowley. J. D. Eagle
W. H. Ewing. J. M. Foster. J. M. Gist. J. H. Gossett.
M. E. Hawkins. R. J. Jagger. L. P. Mitchell. X. J. Prindall.
Mr H. C. Reid. J. J. Sumpter. J. B. Tiller. J. C. Walker.
A. J. Wheat.

Mr Tiller submitted the following communication
& list of additional members from the Hon. J. M. Johnson
Secretary of State viz:

Office of Secretary of State
of Arkansas

Little Rock
May 11th 1874.

To the Speaker of the
House of Representatives

I herewith transmit a true
& correct list of the members elected to the Lower House
of the Legislature at a Special Election held on the
4th day of November 1873. as appears from the
returns on file in my office. The list has been
examined & compared & from the papers in my possession
the same is correct.

J. M. Johnson.
Secy State. by
Chas Garland. Depy. Secy.

May 11th 1874.

No. of District	Members Elect.	Counties comprising District
1 st	J. A. Jarvis Franklin Lowell	Mississippi Jackson
2 nd	Charles Coffey R. K. Lester	Randolph Laurens
3 rd	J. B. Hunt	Poore
4 th	W. J. McCallister	Van Buren
5 th	L. W. Davis J. S. Venable	Pope Crawley
6 th	A. D. King M. Hixon	Johnson Saber
8 th	Geo. D. Meeker	Sebastian
9 th	J. O. Swepston	Outtenden
10 th	J. M. Thompson & J. F. Smith W. D. Carter L. L. Hampton	St. Francis. White Pulaski
11 th	D. M. Davis O. M. Gowan W. Foreman	
13 th	H. H. Denton.	Polk
14 th	O. O. Anderson J. J. Conway J. J. Montgomery	Hempstead " "
15 th	Geo. S. Scott. Geo. B. Denton	Little River Lafayette.
16 th	D. M. Johnson O. O. Richardson	Callaway Union

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No of District	Members Elect	Counties Occupying District
17 th	A. H. Arnold J. J. Proctor C. J. Marsh	
19 th	H. M. Pinfold Jas A. Ashley	Quasata
20 th	D. M. Guire C. A. Johnson M. M. Hughey	Jefferson Bradley
21 st	M. M. Puffer	Dallas
22 nd	J. H. Dillar Lyngins L. Johnson C. H. Fikes	Fred Choct Ashley

Whereupon:

Mr. J. Blackwood, Esq. Clerk of the Circuit Court of Pottawatomie County Arkansas. Administered the Oath of Office to the following named Representatives Elected at the Special Election held November 4th 1873. Viz:

No of District	Members
1 st	J. A. Davis Franklin Dowell
2 nd	Charles Coffin P. A. Lester
4 th	W. J. McChesnut
5 th	L. H. Davis
9 th	Sam Thompson
10 th	W. B. Carter
14 th	J. A. Conway
16 th	A. J. Montgomery
17 th	G. W. Johnson N. H. Arnold

May 11th 1874.Co of District
20th21st
22nd

Members

P McGuire
C C Johnson
M M Puffie
J S H Diller
L L Johnson

A Quorum of the House not being present

On motion of Mr RA Johnson ordered that there be a
call of the House

The roll being called the following named persons
failed to answer to their names viz:—

Mr O P Anderson

J A Ausley

W H Patton

A E Peardsey

C E Perry

J H Perry

Thos Borrow

D Bredenthal

L L Brock

Chas Brown

J I D Pittston

W H Cate

David Chandler

J B Chaplin

J A Cunningham

J F Meller

Joseph Wright

A W Fells

W Foreman

L D Gilchrist

Toney Glesson

D G Hart

M Nixon

W W Hugley

P M Jacobs

A S King

A R Johnson

J E Jodys

R Lee

A J Marsh

William Murphy

P W Cawson

L C White

The Speaker

Robert Polio

J D Pittston

Wm Pursey

O O Richardson

D C Rollins

G S Scott

J D Smith

A H Spears

J S Stephenson

A L Strong

A P Swenson

D W Thorsen

L L Thompson

George Thomsen

J A Venable

J W Williams

On motion of Mr Reid The Speaker's Proclamation
was authorized to appoint a temporary Sergeant
at Arms for the purpose of notifying absent
members in the City to appear & state
their status within the bar of the House

May 11th 1894.

The Speaker Pro tempore appointed Mr. J. B. Bond
of Pulaski County as Temporary Sergeant at Arms
for the House

Then

On motion of Mr. B. H. Johnson

The House took a recess until
4 o'clock P.M.

After the Recess.

The House met at 4 o'clock P.M.

Mr. J. B. Bond, Temporary Sergeant at Arms for the House
appeared having taken the Oath of office tendered upon
the discharge of his duties

The Speaker Pro tempore announced that the representatives
of the press under the rule, were invited within
the bar of the House

No Quorum being present

On motion of Mr. Ewing the House at 4 o'clock &
30 minutes P.M. adjourned until 10 o'clock A.M.
on the morrow.

Chas C. Rice Jr.
Clerk House Representatives
Pro tempore.

J. J. Hindalls
Speaker of the House,
Pro tempore

Tuesday May 12. 1874.

The House met at 10 o'clock A. M.

The Roll being called it appeared that the following named members were present and answered to their names, viz:

Mr A. A. Arnold.	Mr. M. M. Duffie.	Mr P. K. Lester.
W. A. Beasley.	J. P. Eagle.	L. B. Mitchell.
J. B. Burton.	Mr. M. Erwin.	W. J. M. Clellan.
W. B. Carter.	J. M. Foster.	B. M. Guire.
Charles Coffin.	L. D. Gilbreath.	D. J. Montgomery.
J. D. Conway.	J. M. Gist.	X. J. Pindall.
J. Cleveland.	J. W. Gossett.	J. T. Preston.
B. H. Crowley.	Mr. E. Hawkins.	W. A. C. Reid.
F. Doswell.	B. W. Johnson.	J. J. Sumpter.
L. W. Davis.	C. C. Johnson.	J. M. Thompson.
J. F. Davies.	L. L. Johnson.	J. D. W. Viller.
	R. Joyner.	John C. Walker.
		A. J. Wheat.

The following additional members appeared, and having taken the oath of office, took their seats within the bar of the House, viz:

From the Sixth District A. D. King and Mr. Nixon.

From the Thirteenth District. A. H. Barton.

From the Twenty Second District A. W. Files.

On motion of Mr Crowley the Roll was again called when it appeared that the following named members were present and answered to their names, viz:

Mr A. A. Arnold.	Mr Charles Coffin.	Mr L. W. Davis.
A. H. Barton.	J. D. Conway.	J. F. Davies.
W. A. Beasley.	J. Cleveland.	Mr. M. Duffie.
J. B. Burton.	B. H. Crowley.	J. P. Eagle.
W. B. Carter.	F. Doswell.	Mr. M. Erwin.

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A. W. Files.
 J. M. Foster.
 L. D. Gilbreath
 J. M. Gist
 J. W. Gossett
 M. E. Hawkins.
 M. Hixon.
 A. D. King.
 B. W. Johnson.

C. C. Johnson.
 L. L. Johnson.
 R. Joyner.
 P. K. Lester.
 A. J. Marsh.
 L. B. Mitchell.
 W. J. McCallaw.
 B. McQuire.
 D. J. Montgomery.

X. J. Pindall
 J. T. Preston.
 H. H. C. Reid
 J. J. Sumpter.
 J. M. Thompson.
 J. D. W. Tiller.
 John C. Walker.
 A. J. Wheat.

A quorum of the House not being present.

The Sergeant at Arms *pro tempore* instructed to notify absent members in the City, to appear within the bar of the House, submitted the following report which was received, viz:

To the Honorable House of Representatives.

I have summoned Mr J. B. Chapline, and he declined to be present. Mr C. E. Perry was within the military lines of General Fagan, and he declined to see me.

Respectfully.

J. B. Bond,
 Sergeant at Arms.

Prayer by the Chaplain, Revd. Mr. D. B. Lee.

On motion of Mr Sumpter the Speaker *Pro Tempore* was authorized to appoint temporarily three Pages for the House.

Whereupon, the Speaker *pro tempore* appointed as such Pages Masters John J. Wheat, John Pettit and Walter James.

Then on motion of Mr Duffie the House took a recess until four o'clock P. M.

After the Recess.

The House met at four o'clock P. M.

No Quorum being present

May 12, 1874.

Mr B. W. Johnson at 4 o'clock and five minutes P. M. moved that the House adjourn until 10 o'clock A. M. on the morrow, which was not agreed to.

The Roll being called it appeared that the following named members were present and answered to their names, viz:

Mr A. H. Arnold	Mr J. F. Davies	Mr R. Joyner.
H. A. Barton.	J. P. Eagle.	C. K. Lester
W. A. Beasley.	Mr. M. Erwin	L. B. Mitchell
J. B. Burton	A. W. Files	W. J. McCallaw.
W. B. Carter.	J. M. Foster.	A. J. Montgomery
Charles Coffin	J. M. Gist.	X. J. Pindall
J. D. Conway.	J. W. Gossett.	J. T. Preston
J. Cleveland	Mr. E. Hawkins	W. A. C. Reid.
B. A. Crowley.	Mr. Hixon.	J. J. Supter.
F. Dawwell.	A. D. King.	J. M. Thompson
L. W. Davis	B. W. Johnson	J. D. W. Tiller.
Mr. M. Duffie.	C. C. Johnson	John C Walker
	L. L. Johnson	A. J. Wheat.

No quorum being present.

On motion of Mr Erwin, the House at 4 o'clock and 15 minutes P. M. adjourned until 10 o'clock A. M. on the morrow.

Approved:

Attest:

Miss C. Rida L.

Clerk of the House.

X J Pindall
Speaker of the House.

House of Representatives.

Wednesday May 13th 1874.

The House met pursuant to adjournment. 10 o'clock A.M.

The Roll being called it appeared that the following named members were present and answered to their names, viz:

Mr A. H. Arnold,	Mr J. P. Eagle,	Mr L. B. Mitchell
A. H. Barton,	Mr. Mr. Erwin,	W. J. McCallaw,
W. A. Beasley,	A. W. Files,	B. McQuinn
J. A. Berry,	J. McFoster,	D. J. Montgomery,
J. B. Burton,	L. D. Gilbreath,	X. J. Pindall
W. B. Carter,	J. McEist,	J. T. Preston
David Chandler,	J. W. Gossett,	W. H. C. Reid
Charles Coffin	Mr. E. Hawkins,	J. F. Smith,
J. D. Conway,	Mr. Nixon	J. J. Slaughter,
J. Cleveland,	A. D. King,	J. McThompson
B. H. Crowley,	B. W. Johnson	D. W. Thomason,
F. Doswell,	C. C. Johnson	J. D. H. Diller,
L. W. Davis,	L. L. Johnson,	John C. Walker,
J. F. Davies,	R. Joyner,	A. J. Wheat,
Mr. Mr. Duffie,	P. K. Lester,	

A quorum of the House being present

The Revd. Mr D. B. Lee, offered the following Prayer.

O most gracious God, we humbly implore thy blessing on the Senate and Representatives in State Legislature now assembled; that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy church, the safety, honour and welfare of Thy people; that all things may be so ordered and settled by their endeavours upon the best and surest foundations; that peace and happiness, truth and justice, religion and piety may be established among us for all generations. These and all other necessities for them, for us, and for all men, we humbly beg in the name and mediation of Jesus Christ our most blessed Lord and Savior.

Amen.

May 13. 1874.

The Journals of Monday and Tuesday were read and approved.

Mr D. S. Hart, a member from the Third District appeared, and having taken the oath of office, took his seat within the bar of the House.

On motion of Mr Sumpster the House proceeded to the election of a Speaker pro tempore

Mr Tiller placed in nomination the name of Mr J. H. Perry, of Benton County, and moved that he be declared elected by acclamation, which was unanimously agreed to. Whereupon.

Mr J. H. Perry, having been duly qualified took the chair and entered upon the discharge of his duties.

On motion of Mr Reid, the temporary Clerk was requested to notify the House of the vacancies occasioned by the failure of the officers of the House to appear at the present session.

The temporary Clerk announced that the following was a list of such vacancies, viz:

Charles W. Dankersley,	Speaker.
Henry M. Cooper,	Clerk.
E. M. Main,	Engrossing Clerk.
Peter Mitchell	Sergeant at Arms.
D. O. Kyle	Assistant Sergeant at Arms.
Caleb Davis, Jr.	Assistant Door Keeper.
Thomas B. Ford,	Chaplain.

The Speaker pro tempore announced that nominations for the position of Clerk pro tempore were in order.

Mr Sumpster placed in nomination the name of Mr. Charles C. Reid, Jr.

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The House proceeded to vote *viva voce*, for Clerk of the House *pro tempore*, when it appeared that the following named members voted for Charles C. Reed, Jr. viz:

Mr. A. H. Arnold	Mr. J. P. Eagle	Mr. P. H. Lester
W. A. Beasley	Mr. M. Enwrie	L. B. Mitchell
J. H. Berry	A. W. Files	W. J. McCallaw
J. B. Burton	J. McFoster	B. McGuire
W. B. Carter	J. McEist	D. J. Montgomery
David Chaudler	J. W. Gossett	L. J. Pindall
Charles Coffin	D. G. Hart	J. D. Preston
J. D. Conway	Mr. E. Hawkins	W. A. C. Reid
J. Cleveland	Mr. Nixon	D. D. Slaughter
B. H. Crowley	A. D. King	J. McThompson
F. Daswell	B. W. Johnson	D. W. Thomason
L. W. Davis	C. C. Johnson	J. D. W. Tiller
J. F. Davies	L. L. Johnson	John C. Walker
Mr. M. Duffie	R. Joyner	A. J. Wheat

Charles C. Reed Jr. having received the whole number of votes cast, was declared duly elected Clerk *pro tempore*

Nominations for Engraving Clerk being in order,

Mr Eagle nominated George W. St. Clair, of Lenoire County.

The House proceeded to vote *viva voce* for engraving Clerk, when it appeared that the following named members voted for George W. St. Clair, viz:

Mr. A. H. Arnold	Mr. D. Daswell	Mr. J. W. Gossett
A. H. Barton	L. W. Davis	D. G. Hart
W. A. Beasley	J. F. Davies	Mr. E. Hawkins
J. H. Berry	Mr. M. Duffie	Mr. Nixon
J. B. Burton	J. P. Eagle	A. D. King
W. B. Carter	Mr. M. Enwrie	B. W. Johnson
David Chaudler	A. W. Files	C. C. Johnson
Charles Coffin	W. Foreman	L. L. Johnson
J. D. Conway	J. McFoster	R. Joyner
J. Cleveland	L. D. Gilbreath	P. H. Lester
B. H. Crowley	J. McEist	L. B. Mitchell

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Mr W. J. McCallan.	Mr J. D. Preston	Mr E. W. Thomason
B. McGuire	W. H. C. Reid	J. D. W. Diller.
D. J. Montgomery.	J. J. Sumpster	J. D. Wheeler.
X. J. Pridall	J. M. Thompson.	

George W. St. Clair, having received the whole number of votes cast, was declared duly elected Engrossing Clerk.

On motion of Mr. Davies.

Ordered, that the office of Sergeant at Arms be declared vacant, for the reason that Peter Mitchell the Sergeant at Arms elected at the Session of the House of 1873 had become a non-resident of the State

Which was agreed to

Nominations for Sergeant at Arms being in order.

Mr Sumpster nominated J. B. Bond of Pulaski County.

The House proceeded to vote viva voce for Sergeant at Arms when it appeared that the following named members voted for J. B. Bond, Viz:

Mr H. H. Arnold	Mr J. P. Eagle	Mr P. K. Lester.
H. H. Barton	W. M. Ennis	L. B. Mitchell
W. A. Beasley.	H. H. Files.	W. J. McCallan.
J. H. Berry.	J. M. Foster.	B. McGuire
J. B. Burton	L. D. Gilbreath	D. J. Montgomery.
W. B. Carter.	J. M. Gist.	X. J. Pridall
David Chandler.	J. W. Gossett.	J. D. Preston.
Charles Coffin	L. G. Hart.	W. H. C. Reid
J. D. Conway.	W. E. Hawkins.	J. J. Sumpster.
J. Cleveland	W. Hixon	J. M. Thompson.
B. H. Crowley.	A. D. King.	E. W. Thomason.
F. Daswell.	B. W. Johnson	J. D. W. Diller.
L. W. Davis	C. C. Johnson	John C. Walker
J. F. Davies	L. L. Johnson	A. J. Wheat.
W. M. Duffie	R. Joyner	

J. B. Bond, having received the whole number of votes

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cast, was declared duly elected as Sergeant at Arms.

Nominations for Assistant Sergeant at Arms ~~pro tempore~~ being in order

Mr Davies nominated Wilson S. Gray, of Conway County, and moved that he be declared elected by acclamation

Which was unanimously agreed to

On Motion of Mr Sumpster, the vote just taken was reconsidered for the reason that Mr Gray was holding a position as Postmaster and could not leave his office.

Nominations for Assistant Sergeant at Arms ~~pro tempore~~ being again in order.

Mr Erwin, nominated B. C. Morgan of Lonoke County.

Mr Davis nominated H. C. Bond of Pope County.

Mr Coffie nominated George W. Baxter.

The House proceeded to vote viva voce for Assistant Sergeant at Arms ~~pro tempore~~, when it appeared that the following named members voted for B. C. Morgan, viz:

Mr J. P. Eagle	Mr B. W. Johnson	Mr D. McThompson.
Mr. Mc Erwin	C. C. Johnson.	D. W. Thomason
A. W. Files.	L. B. Mitchell	J. D. W. Diller.
L. D. Gilbreath	W. J. McCallan.	John C. Walker.
J. Mc Gist.	B. Mc Guire	A. J. Wheat.
J. W. Gossett.	X. J. Pindall	
Mr. E. Hawkins.	D. J. Sumpster.	

The following named members voted for George W. Baxter, viz:

Mr H. H. Arnold	Mr J. B. Burton	Mr J. D. Conway.
H. H. Barton.	W. B. Carter	J. Cleveland
W. A. Beasley	David Chandler	B. H. Crowley.
J. H. Berry.	Charles Coffie	J. D. Davies.

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L. L. Johnson P. K. Lester
R. Joyner J. J. Preston

The following named members voted for H. C. Bond, viz:

Mr O. P. Anderson	Mr M. M. Duffie	Mr M. Hixon
F. Doswell.	J. M. Foster	A. D. King
L. W. Davis.	D. G. Hart.	L. J. Montgomery.

Recapitulation of First vote for Assistant Sergeant at Arms.
pro tempore.

B. C. Morgan received 19 votes.

George W. Baxter received 16 votes.

H. C. Bond, — received 8 votes.

Whole number of votes cast 43.

Necessary for a choice 22.

No person received a majority of the votes cast.

A message from the Senate, by Senator Ratcliff, viz:

Mr. Speaker.

As Chairman of a select committee appointed by the Senate, I have the honor to inform the House of Representatives of the organization and readiness of the Senate to proceed to the transaction of business.

D. J. Ratcliff,
Chairman.

By unanimous consent Mr Coffin withdrew the nomination of George W. Baxter for the position of Assistant Sergeant at Arms *pro tempore*.

The House proceeded to vote *viva voce*, a second time for Assistant Sergeant at Arms *pro tempore*, when it appeared that the following named members voted for B. C. Morgan, viz:

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Mr H. H. Arnold,	Mr M. M. Enwin	Mr L. P. Mitchell
H. H. Barton.	A. W. Files	W. J. McCallan.
W. A. Peasley.	J. M. Foster.	R. McGuire
J. H. Perry.	L. D. Gilbreath.	J. D. Preston.
J. D. Burton	J. M. Gist.	J. M. Thompson.
Charles Coffin	J. H. Gossett.	J. W. Thomason.
J. Cleveland	D. G. Hart.	J. D. H. Diller.
F. Doswell	W. E. Hawkins.	John C. Walker.
J. D. Davies	C. B. Johnson.	
J. P. Eagle.	P. H. Lester.	

The following named members voted for H. C. Bond, viz:

Mr W. B. Carter	Mr M. M. Duffie.	Mr A. Joyner
David Chandler	W. Nixon.	D. J. Montgomery.
J. D. Conway.	A. D. King.	L. J. Pindall
B. H. Crowley.	P. W. Johnson.	J. J. Sumpter.
L. W. Davis.	L. L. Johnson	

Recapitulation of the second vote for Assistant Sergeant at Arms, pro tempore.

D. C. Morgan received. 28 votes

H. C. Bond received. 14 votes.

Whole number of votes cast. 42

Necessary for a choice. 22.

D. C. Morgan having received a majority of all the votes cast, was declared duly elected as Assistant Sergeant at Arms pro tempore.

On motion of Mr Pindall.

Ordered, that the House proceed to vote for a Janitor pro tempore.

Nominations being in order.

Mr Pindall, nominated Dawson Nance.

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Then

Mr Reid moved that he be declared elected by acclamation, which was unanimously agreed to.

And Dawson Nance, was declared duly elected as Janitor pro tempore.

On motion of Mr Wheat,

Ordered, that the House proceed to the election of Assistant Door Keeper, pro tempore.

Nominations being in order.

Mr Wheat nominated Charles Green of Jefferson County.

Mr Sumpter moved that he be declared elected by acclamation.

Which was unanimously agreed to.

And Charles Green, was declared duly elected as Assistant Door Keeper pro tempore.

The Speaker pro tempore announced that nominations for the position of Enrolling Clerk pro tempore were in order to fill the vacancy occasioned by the election of Charles C. Reed, Jr. as Clerk of the House pro tempore.

On motion of Mr Dwyer,

Ordered, that the election of an Enrolling Clerk be postponed until the services of that office be required by the House.

Mr Wheat moved that Vincent Taylor be appointed temporarily as Assistant Postmaster.

Mr Thomason moved that the appointment of that officer be postponed for the present.

Which latter motion was agreed to.

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The oath of office was administered to Charles B. Reid, Jr. as Clerk *pro tempore*, J. B. Bond, Sergeant at Arms, and Charles Green, Door Keeper *pro tempore*, by Genl. M. McCarney, Clerk of Jackson County, and they entered upon the discharge of their respective duties.

On motion of Mr. Slaughter, the Speaker was authorized to appoint a Chaplain *pro tempore*, for the House.

On motion of Mr. Pindall, the Speaker was authorized to appoint a select committee of three to wait upon and notify the Senate of the organization and readiness of the House to proceed to the transaction of business.

The Speaker appointed as such Committee Mr. X. J. Pindall, M. McCarney and A. J. Wheat.

Mr. Reid submitted the following Concurrent Resolution of the House (H. Con. Res. 1) which was read a first time, viz:

Resolved, that a Committee be appointed on the part of the House to join such Committee as may be appointed by the Senate, to wait on Governor Baxter, and inform him that in obedience to his proclamation a Quorum of the two Houses has assembled and that the General Assembly is now ready to receive any communication he may be pleased to make.

By unanimous consent, on motion of Mr. Thomason, the rules were suspended, and

The concurrent resolution was read a second time.

By unanimous consent,

On motion of Mr. Slaughter, the rules were further suspended, and

The concurrent resolution was read a third time and placed upon its passage.

The question being put, Shall the Concurrent Resolution pass?

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It was decided in the affirmative.

{	Yeas	42.
	Nays	1.
	Not voting	39.

The Yeas and Nays being desired by five members.

Those who voted in the affirmative, are

Mr H. H. Arnold,	Mr W. M. Duffie,	Mr O. K. Lester,
H. H. Barton,	J. P. Eagle,	L. B. Mitchell,
W. A. Beasley,	W. M. Erwin,	W. J. McCallan,
J. H. Berry,	A. W. Files,	B. McQuire,
J. B. Burton,	J. M. Foster,	D. J. Montgomery,
W. B. Carter,	J. W. Gassett,	X. J. Pindall,
David Chandler,	D. G. Hart,	J. D. Preston,
Charles Coffin,	W. E. Hawkins,	W. H. C. Reid,
J. D. Conway,	W. Nixon,	J. J. Supter,
J. Cleveland,	A. D. King,	J. M. Thompson,
B. H. Crowley,	B. W. Johnson,	J. W. Thomason,
F. Doswell,	C. C. Johnson,	J. D. W. Viller,
L. W. Davis,	L. L. Johnson,	John C. Walker,
J. F. Davies,	R. Joyner,	A. J. Wheat,

Voting in the negative: Mr. L. D. Gilbreath.

Those absent or not voting, are

Mr O. P. Anderson,	Mr J. M. Gist,	Mr O. P. Richardson,
J. A. Anisley,	W. W. Hughey,	J. C. Rollins,
A. E. Beardsley,	D. J. Hynes,	E. S. Scott,
C. E. Berry,	J. M. Jacks,	J. D. Smith,
Thomas Barrow,	A. C. Johnson,	O. H. Spears,
D. Bridenthal,	J. E. Joslyn,	S. J. Stephenson,
L. D. Brock,	R. Lee,	S. L. Strong,
Neill Brown,	A. J. Marsh,	S. P. Swepton,
W. H. Cate,	William Murphy,	L. L. Thompson,
J. B. Chapline,	O. M. Cowen,	J. S. Venable,
J. D. Cunningham,	Robert Polk,	J. D. Wheeler,
W. Foreman,	A. M. Pinfey,	L. C. White,

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Mr J. W. Williams. Joseph Wright.

So the Concurrent Resolution was passed.

Whereupon,

The Speaker pro tempore, appointed as such Committee on the part of the House, Mr W. H. C. Reid, J. J. Sumpter and Mr. E. Hawkins.

D. D. Brock, a member elect from the Seventeenth District appeared, and having taken the oath of office, took his seat within the bar of the House.

On motion of Mr Walker,

Ordered, that the old Committees be excused by this House, and the Speaker pro tempore, appoint from the roll of members new Committees of the House, and that he may take such time as he may deem expedient to report such committees to the House.

On motion of Mr Pindall,

Ordered, that the Clerk pro tempore be instructed to procure the necessary stationery for the use of the Members of the House.

On motion of Mr Pindall,

Ordered, That the Clerk pro tempore be instructed under the rules, to furnish newspapers and postage to the members and officers of the House.

On motion of Mr Davis,

Ordered, that the Clerk pro tempore be instructed to procure a sufficient number of copies of the Rules of the House- printed in pamphlet form, to supply the members of the House.

Then

On motion of Mr Reid, the House took a recess until 4 o'clock P. M.

After the Recess.May 13. 1874

The House met at 4 o'clock P. M.

Mr. Burton offered the following resolution, which was read, considered and agreed to, viz:

Resolved, That a Committee of Conference consisting of five members of this House be appointed to confer with a like Committee from the Senate, to draft such joint resolutions as they may deem proper for the immediate consideration of their respective Houses.

The Speaker appointed as such Committee

Mr. J. B. Burton, W. A. Beasley, F. Doswell, J. D. Davies and J. P. Eagle.

B. C. Morgan, Assistant Sergeant at Arms *pro tempore*, appeared, and having taken the oath of office entered upon the discharge of his duties.

On motion of Mr. Joyner,
The House took a recess until 5 o'clock P. M.

After the Recess

The House was called to order at 5 o'clock P. M.

Mr. Pindall moved:

That Governor Baxter be requested to inform this House whether the terms in the following communication for the adjustment of the conflicting claims to the office of Governor of this State has been accepted.

Washington, May 11th.

Hon. Elisha Baxter:

"I recommend that the members of the general assembly, now at Little Rock, adjourn for a reasonable

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time, say for ten days, to enable Brooks to call into the body his supposed adherents, so that there may be a full legislature. Any hasty action by a part of the assembly will not be satisfactory to the people.

Brooks' friends here agree that if this course is pursued no opposition will be made to the meeting of the assembly in the state-house as usual, and that he will at once dismiss his forces if you will do the same.

I urgently request that all armed forces on both sides be disbanded, so that the general assembly may act free from any military pressure or influence. The United States will give all necessary protection to the legislature, and prevent as far as practicable all violence and disturbances of the public peace. Answer.

W. S. Grant."

Gov. Baxter promptly replied as follows:

"To W. S. Grant, President:

"There is almost a quorum of both houses of the legislature present, and they have power, under the constitution, to adjourn from day to day until they have a quorum; and they can adjourn no longer until they have a quorum. When they get a quorum I am in favor of their adjourning as long as they please, until every supposed Brooks adherent is present.

"With this understanding, I will disband my troops in proportion as Brooks disbands his. But for the meeting of the legislature at the usual place, Brooks must quit the state-house and get as far from it west as I am east, and deposit the state arms in the state-armory and let the state-house and public buildings be turned over at once to J. M. Johnson, the secretary of state, to whom under the law they belong.

Elisha Baxter.

"Governor of Arkansas."

The above dispatch was endorsed as follows:

Little Rock, May 11.

"To W. S. Grant, President:

"We, the undersigned members of the general assembly of Arkansas present here, to meet under the call of Gov. Baxter, have read his (Baxter's) response to your telegram.

May 13, 1874.

to day, and we most heartily approve and endorse it.

D. F. Askew, Pres. of the Senate
and eight others.

X. J. Pindall, Speaker of the House
and thirty-six others.

Last night, Gov. Baxter received the following dispatch, in
reply to that published above:

Washington D. C., May 11, 1874.

Hon. Elisha Baxter, Governor:

I am directed by the president
to say that he considers your proposition fair and reasonable,
and I have asked for its immediate acceptance by Brooks.

Geo. H. Williams.

Attorney General.

A message from the Senate, by
Mr Orrick, their Secretary.

Little Rock, May 13/74.

Mr Speaker.

I am instructed to inform your honorable
body of the concurrence by the Senate in House resolution
to appoint a Committee of both Houses, to draft a joint resolution
for the consideration of the general assembly, and that
Srs. Brown, M^c Cabe, Duke, Beavers & Jones, have been
appointed by the Senate, on the committee raised by said
resolution.

Respy.

H. H. Orrick,

Sec'y.

The question being upon the motion submitted by Mr Pindall

After debate,

The motion was agreed to. And then

May 13. 1874.

On motion of Mr Diller,

The House at 5 o'clock and 30 minutes P. M. adjourned.

Attest:

Chas C Reed

Clerk of the House.

Approved:

E J Hindall

Speaker of the House.

Pro tem

James H Berry

Speaker of the House

House of Representatives.

Thursday May 14th 1874.

The House met at 10 o'clock, A. M.

The roll being called it appeared that the following named members were present and answered to their names, viz.

Mr H. H. Arnold,	Mr J. P. Eagle	Mr R. Joyner
H. H. Barton,	Mr. W. C. Ewing.	P. K. Lester
H. A. Beasley,	A. W. Files.	L. B. Mitchell
J. H. Perry,	J. W. Foster.	W. J. McCallan.
D. D. Brock,	L. D. Gilbreath	B. McGuire
J. B. Burton,	J. W. Gist.	D. J. Montgomery
W. B. Carter,	J. W. Gossett	X. J. Quidale
David Chandler,	D. G. Hart.	J. D. Preston.
Charles Coffin,	Mr. E. Hawkins.	W. A. C. Reid
J. Cleveland,	Mr. Nixon.	J. J. Slaughter.
B. H. Crowley,	— — — — —	J. W. Thompson
F. Dasevell	A. D. King.	W. W. Thomason
L. W. Davis.	B. H. Johnson	J. D. W. Tiller.
J. F. Davies.	C. C. Johnson.	J. S. Venable
Mr. W. Duffie.	L. L. Johnson.	John C. Walker
		A. J. Wheat.

Another member appeared, viz:

From the Twelfth District:

D. J. Hynds.

Prayer by the Rev. Mr D. B. Lee.

The Journal of Wednesday was read and approved

The Speaker *pro tempore*, in accordance with the previous instructions of the House, appointed the Rev. Mr D. B. Lee, as Chaplain *pro tempore*.

The following additional Members appeared, and

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Having taken the oath of office took their seats within the bar of the House, viz:

From the Fifth District.-

J. S. Venable.

From the Fourteenth District.-

O. P. Anderson.

By unanimous consent,

Mr Burton from the Committee of conference appointed to confer with a similar Committee from the Senate to draft such joint resolution as they may deem proper for the immediate consideration of their respective Houses, submitted the following report and joint resolution of the House (H. Jt. Res. 1.) which were read, viz:

Mr Speaker,

Your committee appointed to confer with a Committee of the Senate, and draft such resolutions as they may deem proper for the immediate action of the General Assembly, beg leave to report that the joint Committees have unanimously agreed upon the following resolution, which they recommend be at once passed as a joint resolution.

Whereas,

The Legislature of the State of Arkansas has convened, a quorum of each House being present; and

Whereas, the Capitol of our State is occupied by armed and contending forces, and

Whereas, the State-house is now in the possession of armed troops.

Therefore,

Be it resolved by the General Assembly of the State of Arkansas, that the President of the United States be and he is hereby requested to put this legislature in possession of the legislative halls, and that "the public property on the State-house square" be placed under the supervision and control of this body, the legal custodians thereof, while in session; and that he make such order for the disposition of said armed and contending forces as will more perfectly protect the State against domestic violence.

May 14, 1874.

and insure this body due protection.

And that a duly certified copy of this resolution be at once transmitted to the President of the United States.

B. J. Brown

J. D. McCabe.

James K. Jones.

B. B. Beavers

S. A. Duke.

} Senate Committee

John B. Burton

J. F. Davies.

J. P. Eagle

W. H. Beasley.

F. Boswell.

} House Committee.

All of which is respectfully submitted.

John B. Burton.

Chairman House Committee.

The joint resolution was read a first time.

By unanimous consent.

On motion of Mr Duffie, the rules were suspended, and

The joint resolution was read a second time.

By unanimous consent.

On motion of Mr Walker, the rules were further suspended, and

The joint resolution was read a third time and placed upon its passage.

The question being put. Shall the joint resolution pass?

It was decided in the affirmative

{ Yeas. - - - 47
Nays - - - 1
Not voting - - 34.

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The yeas and nays being desired by five members.

Those who voted in the affirmative, are:

Mr C. P. Anderson	Mr M. M. Duffie,	Mr R. Joyner,
A. H. Arnold	J. P. Eagle	P. M. Lester.
A. H. Barton.	Mr. M. Erwin	L. B. Mitchell
W. A. Peasley.	A. W. Files.	H. J. McCallaw.
J. H. Perry.	J. M. Foster	B. McQuire. ✓
D. D. Brock.	L. D. Gilbreath.	D. J. Montgomery.
J. B. Burton.	J. M. Gist.	J. D. Preston
W. B. Carter.	J. W. Gossett.	W. A. C. Reid
David Chandler	D. G. Hart.	J. J. Slaughter
Charles Coffin.	Mr. E. Hawkins.	J. M. Thompson.
J. L. Conway.	Mr. Nixon,	J. W. Thomason
J. Cleveland	D. J. Hynds	J. D. W. Diller
B. H. Crowley.	A. D. King.	J. S. Venable
F. Daswell.	P. W. Johnson	John C. Walker
L. W. Davis.	C. C. Johnson.	A. J. Wheat.
J. J. Davies.	L. L. Johnson.	

Voting in the negative: X. J. Pindall.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr D. M. Jacks,	Mr G. S. Scott
A. E. Beardsley.	A. B. Johnson	J. D. Smith
C. E. Berry.	J. E. DASHLYN.	P. H. Spears.
Thos. Barrow.	R. Lee.	J. S. Stephenson.
D. Bridenthal	A. J. Marsh	L. L. Strong.
Neill Brown	William Murphy.	E. P. Swepton.
W. A. Cate.	P. M. Cowen.	L. L. Thompson
J. B. Chaplin.	Robert Poek.	Chas W. Dandridge
J. D. Cunningham	H. M. Purefoy.	J. D. Wheeler.
W. Foreman.	O. P. Richardson.	L. C. White
W. W. Hughey.	J. C. Rolkins.	J. W. Williams.
		Joseph Wright.

So the joint resolution passed.

Pending the vote: Mr Pindall (when his name was called) sent

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to the Clerk's table the following explanation of his vote, viz:

Mr Speaker:

I desire to state the following as one of several reasons why I cannot vote for this resolution.

Sec 4. of Art. 6. of the Constitution provides that the Governor shall be Commander in chief of the military and naval forces of this State, and may call out such forces to execute the laws &c.

I recognise Governor Baxter as Governor of this State and I cannot vote for a resolution that limits, controls or transfers the constitutional rights and duties of the Executive.

The vote was then announced as above.

Mr Hynds moved that the House take a recess for fifteen minutes.

Which was not agreed to.

Mr George W. St. Clair, the Engrossing Clerk *pro tempore*, appeared, and having taken the oath of office entered upon the discharge of his duties.

Mr J. A. Perry, (Mr Pindall in the chair,) moved that the House take a recess for ten minutes.

Which was agreed to, And

The House accordingly took a recess for ten minutes.

After the Recess.

The House being called to order.

Mr Pindall gave notice of the introduction of a bill to be entitled, An Act providing for the removal of the County Seat of Desha County.

The Speaker *pro tempore*, announced as the standing Committee on enrolled Bills, Messrs B. W. Johnson, J. D. Preston, J. V. Miller

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J. W. Thomason, L. D. Gilbreath, D. G. Hart, and L. W. Davis.

The following notices of the introduction of bills were sent to the clerk's table, viz:

By Mr King.

To be entitled An Act providing for the suspension of the sale of all delinquent lands in the State of Arkansas, for non-payment of taxes for the year 1873.

By Mr Pindall,

To be entitled an Act to redistrict the State for Congressional purposes.

By Mr Duffie.

To be entitled an Act calling a Constitutional Convention.

By Mr Preston.

To be entitled an Act to change the boundary line between the Counties of Prairie, Monroe and Arkansas.

By Mr D. W. Johnson.

To be entitled an Act to amend the present revenue law of the State.

By Mr J. M. Thompson.

To be entitled an Act to remove the County seat of St. Francis County.

By Mr Geasley.

To be entitled an Act changing the line between the Counties of Columbia and Nevada.

By Mr Crowley.

To be entitled an Act to define the line between the Counties of Greene, Craighead and Randolph.

By Mr Davis.

To be entitled an Act to establish a new County from the Counties of Mississippi, Crittenden and Poinsett.

May 14, 1874.

By Mr. Purton.

To be entitled an Act to remit the penalty attaching for the non-payment of taxes on real estate in Arkansas, for the year 1873, and that all sales of lands for non-payment of taxes for 1873, be suspended until the 1st day of March 1875.

By unanimous consent.

On motion of Mr. B. W. Johnson Rule IV. of the House was so amended as to permit the present Speaker pro tempore to retain his seat when putting a question or addressing the House.

Mr. Sumpter

Gave notice of the introduction of a bill to be entitled an Act to define the County lines between Garland, Montgomery, Clark and Hot Springs Counties.

Mr. Suffie.

Moved that the House take a recess for fifteen minutes.

Which was not agreed to.

Mr. Gist.

Moved that no further motions be entertained or other business be transacted, (except it be a motion to adjourn or take a recess,) unless it pertains to a solution of the present difficulties.

The Speaker pro tempore, ruled that the motion would lie over one day, under the rule.

The following notices of the introduction of bills were sent to the clerk's table, viz:

By Mr. Joyner.

To be entitled an Act for the relief of Poinsett County.

By Mr. Conway.

To be entitled an Act to remit the penalty attaching for the non-payment of taxes in Hempstead County, for the year 1874.

May 14, 1874.

By Mr Preston.

To be entitled an Act to repeal an Act known "familiarily as the forfeited land Act," of the Session of 1873.

By Mr Carter.

To be entitled an Act to incorporate the male and female Seminary of the Jacksonport District, White River Conference of the M. E. Church South.

By Mr M. Guire.

To be entitled an Act to amend the revenue law of this State, looking to the reduction of taxes, and limiting the power of Supervisors and Corporations in levying taxes.

By Mr Erwin.

To be entitled an Act to transfer the Recorder's Office of Pulaski County, from the County Clerk to that of the Circuit Clerk.

By Mr D. H. Perry. (Mr Duffie in the Chair.)

To be entitled an Act to repeal an Act passed at the session of 1873, making it a misdemeanor to have an enclosure less than five feet high.

By Mr L. L. Johnson.

To be entitled an Act to remit the penalty for the non-payment of the assessed taxes for the year 1873, for the County of Chicot.

By Mr Wheat.

To be entitled an Act looking to the relief of the tax payers who are in the militia service, under the call of the Governor of the State of Arkansas.

By Mr Durlow.

To be entitled an Act to make a new County out of that portion of Lafayette County, lying west of Red River, to be known as the County of Red River.

By Mr Erwin.

To be entitled an Act to remove the County seat of Prairie County.

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A Message from the Senate, by Mr Orrick, the Secretary. Viz:

Senate Chamber.

Little Rock, May 14/74.

Mr Speaker.

I am instructed by the Senate, to inform your Honorable body, of the concurrence of the Senate, in House Joint Resolution No. 1., and herewith return the same.

The Senate has appointed on the Committee raised by said Resolution, Senators McChesney, Good + Pollard.

Also, I am instructed by the Senate to inform your Honorable body, of the concurrence of the Senate, in House Joint Resolution No. 1., and herewith respectfully return the same.

W. W. Orrick, Secy.

Mr B. W. Johnson, from the Committee on enrolled bills, reported correctly enrolled, the joint resolution of the House (H. J. Res 1.) A Joint Resolution providing for the appointment of a joint Committee to draft a joint Resolution for the immediate consideration of the General Assembly.

On motion of Mr Duffie.

The House took a recess until 3 o'clock P. M.

After the Recess.

The House met at 3 o'clock P. M.

Mr Reid, from the Committee appointed to wait upon and notify the Governor of the organization and readiness of the House to receive communications, reported that the Committee had discharged their duty, and that the Governor would deliver his message, at 4 o'clock P. M.

Then.

On motion of Mr Reid, the House took a recess, until 3 o'clock and 45 minutes, P. M.

After the Recess.

May 14, 1874.

The House was called to order, at 3 o'clock and 45 minutes, P. M.

A message from the Senate, by Senator Askew.

Mr Speaker,

I am instructed by the Senate, as Chairman of a Select Committee, appointed for that purpose, to notify the House of Representatives, that the Senate will be ready to meet the House in joint session, at 4 o'clock P. M. for the purpose of receiving the Governor's message.

On motion of Mr Sumpter, the Speaker *pro tempore*, was authorized to appoint a Select Committee of three to notify the Senate that the House was ready to receive them in joint session.

The Speaker *pro tempore*, appointed as such Committee, Mr. J. J. Sumpter, L. L. Johnson and L. B. Mitchell.

Joint Session of the two Houses of the General Assembly.

The Senate preceded by their officer, appeared within the bar of the House, and were seated.

Senator Frierson, President *pro tempore* of the Senate, in the chair.

By the direction of the President *pro tempore*, the roll of the Senate was called by the Secretary of the Senate, and the roll of the House of Representatives, by the Clerk *pro tempore*, of the House, when it appeared that there was a quorum of both Houses in the convention.

A message from His Excellency the Governor, by Gen. M. McCanany, his private Secretary.

Executive Office, State of Arkansas.
Little Rock, May 14, 1874.

Gentlemen of the Senate and House of Representatives.
As the Chief Executive of the State, I am vested with the power to convene

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the Legislature on extraordinary occasions; and deeming the present a time that demands the exercise of that power, I have called you together to deliberate and act upon matters of grave importance to the people of the State. It is a source of pleasure to me, as well as of congratulation to the country that you have assembled so promptly and readily to the call.

Doubtless the circumstances that made it necessary for me to assemble you at this time are known to all. The matter of a contest for the office of Governor of the State, between the Hon. Joseph Brooks and myself having been passed upon at your last session, was supposed to be finally settled; but during the last summer after your adjournment, upon an application by the Attorney General for a writ of *Quo Warranto* to try my right to the office of Governor, the Supreme Court decided and adjudged that there was no jurisdiction in any Court in the State to try the question, and that the Legislature alone could determine the same. A few months after that time in another case in which the right to the Auditor's Office was involved, that opinion was approved and reaffirmed, and then it was universally understood that the question was at rest.

Notwithstanding these two decisions, on the 15th of last month in a case brought by Joseph Brooks against myself in the Circuit Court of Pulaski County, a determination was aimed at in overruling a demurrer to the jurisdiction of the Court by a pretended judgment by authority of which Brooks claimed the right to oust me from the Office of Governor.

In my opinion the action of the Court was arbitrary and revolutionary; as it had no jurisdiction whatever to render such a judgment; so believing I at once addressed myself to the task of maintaining my authority as Governor.

To my call to suppress what I consider an armed insurrection against the lawful authority of the State Government, the people responded promptly and in numbers greater than I required, but in my efforts to move on the State House and to repossess the same I was thwarted by the interference of Federal troops, against whom I would not make war or permit war to be made. Thus prevented from asserting my rights, I organized a sufficient force to protect myself and those with and around me, and appealed to the National Authorities under the Constitution of the United States for aid to suppress such insurrection and to prevent domestic violence; but in case aid could not be obtained from that source. I proposed to settle the question, which has been used as a pretext for the present

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unlawful efforts against the State Government.

To this requisition the President of the United States responded favoring your meeting and guaranteeing you protection in your deliberations. With this assurance from the Chief Magistrate of the Nation, I am glad to meet you and express the hope that through and by your instrumentality peace order and quietude will be restored to the country.

To you then, is submitted ~~the~~ the question, "Who is Governor of Arkansas under the general election on the 5th day of November A. D. 1874?" and your early attention is invited to its consideration.

Owing to the unsettled condition of affairs in our State, and the great want of harmony in our laws, statutory and constitutional, your earnest attention is invited to the consideration of the propriety of calling a Constitutional Convention, a move which I deem at this time of absolute necessity, and I hope it may be your pleasure to call a Convention of the State in order that the people may have an opportunity to speak and act at once as they deem best.

Should there be in my opinion, a necessity for action on other matters, by you at your present meeting, I will indicate the same by special message.

In conclusion permit me to express the hope that your deliberations will result in restoring order, confidence, and prosperity to our people.

Elisha Baxter,
Governor of Arkansas.

On motion of Mr Pindall.

Ordered that the message be received.

Then on motion of Senator Askeu, the Convention Adjourned.

The Speaker having resumed the chair,

On motion of Mr Pindall.

Ordered that five thousand copies of the Governor's Message be printed for the use of the House.

On motion of Mr Pindall,

May 14, 1874.

Ordered, that the Clerk *pro tempore* be directed to have the printing for the House done by the "Gazette Publishing Company," until further orders.

On motion of Mr B. W. Johnson.

The Speaker *pro tempore* was authorized to appoint a Select Committee of Seven, to whom the Governor's message should be referred.

The Speaker *pro tempore* appointed as such Committee Mr B. W. Johnson, C. C. Johnson, J. J. Sumpster, A. W. Files, David Chandler, John B. Walker, and L. W. Davis.

By unanimous consent,

Mr D. D. Buck asked and obtained leave of absence until Monday May 18, 1874, on account of sickness in his family.

By unanimous consent,

Mr King introduced a bill (H. R. 1.) entitled an Act to suspend the sale of delinquent lands and for other purposes.

Which was read a first time.

By unanimous consent,

On motion of Mr Reed, the rules were suspended, and

The Bill was read a second time.

On motion of Mr Pindall,

The Bill was amended by striking out the words "first day of March 1874," and inserting in lieu thereof the words "Period fixed by law for the sale of delinquent lands in 1874."

Mr Pindall moved that the bill be engrossed and made special order for a third reading at 11 o'clock A. M. on the morrow.

Which was not agreed to.

May 14, 1874.

Pending the consideration of further amendments,

On motion of Mr Reid

The bill and amendments was referred to a Select Committee of three appointed by the Speaker pro tempore.

The Speaker pro tempore,

Appointed as such Committee Mr H. H. C. Reid,

A. D. King and Mr. Nixon,

And then,

On motion of Mr Pindall,

The House at 4 o'clock and 50

minutes P. M. adjourned.

Approved:

Chas C Reid Jr

Clerk of the House Representatives.

James H. Berry
Speaker of the House Representatives.

House of Representatives.Friday, May 15, 1874.

The House met at 10 o'clock A. M.

The Roll being called, it appeared that the following named members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr A. W. Files.	Mr. H. J. McCallaw
H. H. Arnold,	J. M. Foster.	B. McQuire.
J. H. Berry,	L. D. Gilbreath	B. J. Montgomery.
J. B. Burton.	J. M. Gist.	X. J. Pindall
W. B. Carter.	J. H. Gassett.	J. T. Preston.
David Chandler.	D. G. Hart.	W. H. C. Reid.
Charles Coffin.	Mr. E. Hawkins.	J. D. Slaughter
J. L. Conway.	Mr. Nixon.	J. M. Thompson
J. Cleveland.	J. M. Jacks.	J. H. Thomason
B. H. Crowley.	A. D. King.	J. D. W. Diller.
F. Doswell.	B. H. Johnson	J. S. Venable
L. H. Davis.	C. C. Johnson.	John C. Walker.
J. J. Davies.	L. L. Johnson.	A. J. Wheat.
Mr. M. Duffie.	R. Joyner.	L. C. White.
J. P. Eagle.	P. H. Lester.	Joseph Wright
Mr. M. Erwin.	L. B. Mitchell.	W. H. Reasley.

Prayer by the Chaplain pro tempore.

The Journal of Thursday was read and approved.

The Speaker pro tempore announced the following additional Standing Committees of the House, viz:

On the Judiciary.

X. J. Pindall.	}
F. Doswell.	
J. B. Burton.	
Mr. M. Duffie	
A. J. Wheat.	

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L. W. Davis.
J. J. Cunningham
P. K. Lester.
J. D. Conway.

On Auditor + Treasurers Books.

W. A. Peasley.
Charles Coffin.
B. W. Johnson.
J. C. Walker.
J. P. Eagle.
J. D. Preston.
C. C. Johnson.

On Education.

J. P. Eagle
A. W. Files.
D. Brideuthal
J. D. Conway.
Charles Coffin.
D. G. Hart.
B. M. C. Guire.

Of Ways + Means.

W. H. C. Aied
L. C. White
J. D. W. Dillar.
B. W. Johnson.
H. H. Arnold
D. W. Thomason.
J. F. Davies.

On Counties and County Lines.

M. M. Erwin.
J. D. Preston.
D. J. Montgomery.
H. H. Barton
L. L. Johnson
W. J. M. C. Bellaw.
C. C. Johnson.

On Penitentiary.

J. J. Supter.
M. M. Erwin.

May 15, 1874.

A. W. Files.
 B. H. Crowley.
 W. H. Cate.
 J. W. Gossett.
 J. M. Gist.

On Rail Roads.

J. C. Walker
 B. H. Crowley.
 M. Nixon.
 D. D. Brock.
 W. B. Carter.
 J. M. Thompson.
 J. Cleveland.

On Elections.

J. D. W. Diller
 M. E. Hawkins.
 L. D. Gilbreath
 P. K. Lester
 J. J. Sumpter
 A. D. King.
 J. M. Foster.

On Registration.

J. Doswell.
 X. J. Pindall
 J. B. Burton.
 W. H. C. Ried
 L. C. White
 J. S. Venable
 H. M. Purefoy.

On Public Printing.

Charles Coffin
 A. W. Files
 J. D. Wheeler.
 P. H. Spears.
 R. Joyner.
 D. J. Hynds
 H. H. Arnold.

May 15, 1874.On Claims.

J. W. Thomason
 B. W. Johnson.
 L. B. Mitchell
 J. J. Wheeler.
 S. L. Strong.
 H. H. Barton.

On Militia.

A. J. Wheat.
 O. P. Anderson.
 D. J. Hynds.
 M. M. Erwin
 A. D. King.
 J. Cleveland
 David Chandler.

On Public Expenditures.

L. W. Davis.
 W. A. Beasley.
 M. E. Hawkins.
 J. S. Stephenson.
 David Chandler.
 J. S. Venable.
 Joseph Wright.

On Federal Relations.

M. M. Duffie.
 A. J. Wheat.
 B. M. C. Guire.
 J. F. Davies.
 J. D. Conway.
 J. J. Sumpter.
 R. Lee.

On State Lands

P. K. Lester
 O. P. Richardson.
 H. M. Purefoy.
 C. E. Berry.
 D. G. Hart.

May 15, 1874.

W. B. Carter.
L. B. Mitchell.

On Agriculture.

L. L. Johnson.
H. H. Barton.
J. M. Gist.
J. C. Rollins.
P. M^c Cowen.
William Murphy.
H. A. Beasley.

On Roads and Highways.

J. M. Gist.
J. H. Gossett.
D. Bridenthal.
D. D. Brock.
W. H. Hughey.
H. Foreman.
M. Nixon.

On Engrossed Bills.

D. H. Crowley.
J. D. Cunningham.
W. H. C. Reed.
Joseph Wright.
J. M. Thompson.
J. D. Preston.
H. J. M^c Kellaw.

On Apportionment.

L. C. White.
X. J. Pridall.
M. M. Duffie.
R. Joyner.
F. Dossell.
J. Cleveland.
H. A. Beasley.

On Memorials.

L. B. Mitchell.

May 15, 1874.

J. C. Walker.
 C. E. Berry.
 L. D. Gilbreath.
 D. J. Hynds.
 W. Nixon
 L. L. Thompson.

On Public Buildings.

A. W. Files.
 J. J. Slaughter.
 J. B. Chapline.
 J. E. Jaslyn.
 B. Mc Guire.
 R. Joyner.
 D. J. Montgomery.

On Circuit and Justice Courts.

W. H. Gate.
 H. H. Barton.
 C. C. Johnson.
 W. D. Mc Gellau.
 J. W. Thomason.
 F. D. W. Diller.
 Neil Brown.

By unanimous consent.

Mr Preston introduced a bill (H. R. 2.)
 entitled an Act to repeal an Act, entitled an Act in relation to for-
 feited lands in certain Counties of the State of Arkansas, Approved April
 29th, 1873.

Which was read a first time.

Under a suspension of the rules.

The bill was read a second time by title
 and referred to the Committee on the Judiciary

Mr Preston, also introduced a bill (H. R. 3) entitled an Act
 to change the boundary lines between the Counties of Monroe and
 Prairie.

Which was read a first time.

May 15, 1874.

By unanimous consent,

On motion of Mr Preston,

The rules were suspended, and

The bill was read a second time by title and referred to the Committee on Counties and County Lines.

Mr Erwin, moved,

That Master Ambrey L. Banks, son of Professor Banks of St. John's College, be appointed as a Page of the House.

Which was not agreed to.

Mr Files. gave notice of the introduction of a bill, to be entitled an Act to repeal the law giving the Governor authority to designate official Journals.

Also, a bill to be entitled an Act for the relief of the Tax Payers of Ashley and Drew Counties, remitting the increased value of Real Estate as made by the State Board of Equalization at its session in 1873.

By unanimous consent,

Mr Davis introduced a bill (H. R. 4.) entitled an Act to repeal an Act, entitled an Act to remove the County seat of Pope County, Approved, April 25, 1873

Which was read a first time.

By unanimous consent,

On motion of Mr Davis,

The Rules were suspended, And

The bill was read a second time by title, and referred to the committee on Counties and County Lines.

By unanimous consent.

Mr Ried, from the Select Committee, to whom was referred the bill of the House (H. R. 1.) entitled an Act to suspend the sale of delinquent lands, and for other purposes, returned the same, and recommended a Substitute therefor, of similar title.

May 15, 1874.

By unanimous consent,

The report of the Committee was adopted,

And

The substitute was accordingly adopted in lieu of the original bill.

By unanimous consent,

Mr Cleveland introduced a bill (H. R. 5.) entitled an Act to authorize the Auditor of State to draw his Warrant on the Treasurer of State for the funds appropriated for School purposes.

Which was read a first time.

By unanimous consent,

On motion of Mr Supter.

The rules were suspended, the bill was read a second time by title, and

On motion of Mr Supter,

Ordered, that the bill be engrossed for a third reading, and made Special Order for 11 o'clock A.M. on the morrow.

By unanimous consent,

Mr McQuire, introduced a bill (H. R. 6.) entitled an Act to amend Sections 117. and 196. of the Act entitled an Act regulating the assessment and collection of revenue, approved, April 28th, 1873

Which was read a first time.

By unanimous consent,

Mr Erwin introduced a bill (H. R. 7.) entitled an Act to repeal an Act entitled an Act to define the duties of the Clerk of Pulaski County.

Which was read a first time.

By unanimous consent,

On motion of Mr Erwin, the rules were suspended, And

May 15, 1874.

The bill was read a second time by title and referred to the Committee on the judiciary.

On motion of Mr King.

The House resumed consideration of the Substitute for the bill of the House (Sub. H. R. 1.) entitled an act to suspend the sale of delinquent lands, and for other purposes.

Which was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

Yeas.	40.
Nays.	7.
Not Voting.	35.

Those who voted in the affirmative are:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr D. J. Montgomery.
H. H. Arnold.	J. M. Gist.	L. J. Pindall
W. A. Beasley.	J. W. Gossett.	J. W. Preston.
J. H. Berry.	Mr. Nixon	W. H. C. Ried.
W. B. Carter.	D. J. Hynds.	J. J. Sumpster.
David Chaudler.	A. D. King.	J. M. Thompson.
J. D. Conway.	B. W. Johnson	D. W. Thomason.
J. Cleveland.	C. C. Johnson.	J. S. W. Diller.
B. H. Crowley.	R. Joyner	J. S. Venable
L. W. Davis.	P. K. Lester.	John C. Walker.
J. F. Davies.	L. B. Mitchell.	H. J. Wheat.
M. M. Erwin.	W. D. Mc Clellan.	Joseph Wright.
A. W. Files.	B. Mc Guire.	L. L. Johnson.

Those who voted in the negative are:

Mr J. B. Burton.	Mr M. M. Duffie	Mr D. G. Hart.
Charles Coffin.	J. P. Eagle.	M. E. Hawkins
F. Doswell.	L. D. Gilbreath.	L. C. White.

Those absent or not voting are:

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Mr J. A. Ansley,	Mr W. Foreman,	Mr O. P. Richardson
H. H. Barton,	W. W. Hughey,	J. C. Rollins,
A. E. Beardsley,	D. M. Jacks,	S. S. Scott,
C. E. Berry,	A. A. Johnson,	J. H. Smith
Thos. Barrow	J. E. Joslyn,	P. H. Spears,
D. Bridenthal	R. Lee,	J. S. Stephenson,
D. D. Brock,	A. J. Marsh	J. L. Strong,
Neill Brown,	William Murphy,	S. P. Swepston,
W. H. Cate,	P. M. Cowen,	L. L. Thompson
J. B. Chapline	Robert Polk,	Chas. W. Tinkersley
J. F. Cunningham,	H. M. Curefoy,	J. F. Wheeler
		J. W. Williams.

So the Bill was passed.

On motion of Mr Gist.

The House proceeded to consider the motion that no further motions be entertained, or other business transacted (except it be a motion to adjourn or take a recess,) unless it pertains to a solution of the present difficulties.

Mr Coffin moved as a Substitute,

That no bill be placed upon its passage until the chief question upon which the General Assembly was assembled, shall have been settled.

Which was not agreed to.

The question recurring upon the original motion,

It was not agreed to.

Mr Brasley asked and obtained leave of absence until Thursday, May 21. 1874.

Then

On motion of Mr Sampson, the House took a recess until 3 o'clock P. M.

After the Recess.

May 15, 1874.

The House met at 3 o'clock P.M.

On motion of Mr. Slaughter

Mr. N. H. Barton, was excused for non-attendance for the day on account of sickness.

Then

On motion of Mr. Anderson, the House took a recess for five minutes.

After the Recess.

The House was called to order at 3 o'clock and 15 minutes P.M.

The Speaker ~~pro tempore~~ laid before the House the following telegram from the President of the United States, to the Presiding Officers of the two Houses of the General Assembly, which was read, viz:

Department of Justice.

Washington May. 1874.

To J. G. Frierson, President pro tem.

and

James H. Berry, Speaker pro tem.

Little Rock, Ark.

The following proclamation is sent to you for publication.

George H. Williams,
Attorney General.

By the President of the United States of America:

A Proclamation.

Whereas, certain turbulent and disorderly persons pretending that Elisha Baxter, the present executive of Arkansas, was not elected, have combined together with force and arms to resist his authority as such executive, and other authorities of said State, and,

May 15, 1874.

Whereas, said Elisha Baxter, has been declared duly elected by the General Assembly of said State, as provided in the constitution thereof, and has for a long period been exercising the functions of said office into which he was inducted according to the constitution and laws of said State and ought by its citizens to be considered as the lawful executive thereof;

And

Whereas, it is provided in the constitution of the United States that the United States shall protect every State in the union on application of the legislature, or of the executive when the legislature cannot be convened, against domestic violence;

And

Whereas, the said Elisha Baxter, under Section 4. of article 4. of the constitution of the United States and the laws passed in pursuance thereof, has heretofore made application to protect said State, and the citizens thereof against domestic violence;

And

Whereas, the general assembly of said State was convened in extra session at the capitol thereof, on the 11. inst. pursuant to a call made by said Elisha Baxter, and both houses thereof have passed a joint resolution also, applying to me to protect the State against domestic violence;

And

Whereas, it is provided in the laws of the United States that in all cases of insurrection in any State, or of the obstruction to the laws thereof, it shall be lawful for the President of the United States, on application of the legislature of such State, or of the executive when the legislature cannot be convened, to employ such part of the land and naval forces as shall be judged necessary for the purpose of suppressing such insurrection or causing the laws to be duly executed;

And

Whereas, it is required that whenever it may be necessary in the judgment of the president to use the military force for the purpose aforesaid, he shall forthwith, by proclamation command such insurgents to disperse and retire peaceably to their respective homes within a limited time.

Now therefore, I, Ulysses S. Grant, President of the United States, do hereby make proclamation, and command all turbulent and disorderly persons to disperse and return, peaceably, to their respective abodes within ten days from this date, and

May 15, 1874.

Hereafter to submit themselves to the lawful authority of said executive, and the other constituted authorities of said State, and I invoke the aid and co-operation of all good citizens thereof to uphold law and preserve public peace.

[Seal.]

In Witness Whereof, I have hereunto set my hand and caused the seal of the United States to be affixed, Done at the city of Washington, this fifteenth day of May, in the year of our Lord, eighteen hundred and seventy-four, and of the independence of the United States the ninety-eight.

U. S. Grant.

By the President:

Hamilton Fish.

Secretary of State.

Mr Wheat. submitted the following resolution which was read, considered and agreed to, viz:

Resolved, that the Chaplain of the House be requested at the Session of tomorrow morning, to offer up a special thanksgiving to Almighty God, on behalf of the House, for the recognition by the President of the Governor and General Assembly, of the State of Arkansas.

On motion of Mr Duffie.

Ordered, that one thousand copies of the President's telegram, be printed for the use of the House.

Then

On motion of Mr Pindall,

The House at 3 o'clock and 30 minutes P.M.

adjourned.

Approved:

Chas C Rice.
Clerk of the House.

James A. Berra
Speaker of the House.

House of Representatives.
Saturday, May 16, 1874.

The House met at 10 o'clock A. M.

Henry M. Cooper, the Clerk appeared and entered upon the discharge of his duties.

The Roll being called it appeared that the following named members were present and answered to their names. Viz:

Mr O. P. Anderson,	Mr. J. M. Foster,	Mr D. J. Montgomery.
A. H. Arnold,	L. D. Gilbreath,	X. J. Pindall,
C. E. Berry,	J. M. Gist,	J. D. Preston
J. H. Berry,	J. W. Gossett,	W. H. C. Reid.
J. B. Burton	D. G. Hart,	O. P. Richardson
W. B. Carter,	Mo. E. Hawkins.	G. S. Scott.
David Chauder	W. W. Hughey,	J. D. Smith
J. D. Conway,	D. J. Hynds,	J. J. Supter
J. Cleveland	A. D. King,	J. M. Thompson
B. H. Crowley,	B. W. Johnson,	J. D. W. Tiller,
F. Doswell,	C. C. Johnson,	J. S. Venable,
L. W. Davis.	L. L. Johnson	John C. Walker.
J. D. Davies.	R. Joyner,	A. J. Wheat,
Mo. Mo. Duffie,	P. H. Lester,	L. C. White
J. P. Eagle,	L. B. Mitchell	Joseph Wright.
Mo. Mo. Erwin,	W. J. McCallan,	
A. W. Files.	B. McQuire.	

The Journal of Friday was read and approved.

The following additional members appeared and having taken the oath of office, took their seats within the bar of the House:

From the Ninth District,

J. F. Smith,

From the Sixteenth District.

O. P. Richardson.

May 16, 1874.

The Chaplain *pro tempore*, offered up the following prayer and thanks—on behalf of the House, for the recognition by the President of the United States, of the Governor and Legislature of Arkansas.

O, Almighty God, the sovereign commander of all the world, in whose hand is power and might which none is able to resist, we yield Thee hearty praise and thanks giving for our deliverance from those dangers wherewith of late we have been encompassed. We acknowledge that it is by Thy goodness we have been delivered from the plots of our enemies, and are now enabled to go our ways in quietness, safe from fear of riot. While we express our thankfulness, we would beseech thee of Thy goodness O Lord, to succor, help and comfort those who have been wounded, and are now lying on beds of sickness, look down from heaven, comfort and visit them; bless all the means used for their recovery, and grant they may soon be restored to health and give thanks to Thee, the great physician of souls for all thy mercies. And look with all thy pity upon those who in this warfare have been bereaved; endue their souls with patience under their affliction and with resignation to thy blessed will; lift up thy countenance upon them, and give them peace. Finally, we beseech Thee to direct us in all our doings with Thy most gracious favor, and further us with thy continual help, that all our works may be begun, continued and ended in Thee, to whom be glory forever and ever. Amen.

By unanimous consent,

Mr Davis introduced joint resolution (H. Jt. Res 2.) a joint resolution tendering thanks to the Hon. W. W. Wilshire, a representative in Congress, from Arkansas,

Which was read a first time.

By unanimous consent,

On motion of Mr Gist,

The rules were suspended, And

The joint resolution was read a second time.

By unanimous consent,

On motion of Mr Mitchell,

The rules were further suspended, And

May 16. 1874.

The joint resolution was read a third time and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

{	Yeas.	37.
	Nays.	10
	Not Voting.	35.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr A. W. Files	Mr W. J. McCallan
H. H. Arnold	J. M. Gist,	B. McCreary.
J. B. Burton,	D. G. Hart.	J. J. Preston
W. B. Carter.	Mr. E. Hawkins.	W. H. C. Ried
David Chandler,	Mr. Nixon,	O. P. Richardson
J. D. Conway,	D. J. Hynds	J. F. Smith
J. Cleveland	A. D. King,	J. J. Sumpter,
B. H. Crowley,	C. C. Johnson,	J. J. W. Tiller.
F. Dosewell,	L. L. Johnson,	J. S. Venable.
L. W. Davis.	R. Joyner	John C. Walker,
J. P. Eagle	P. K. Lester,	H. J. Wheat
Mr. W. Erwin.	L. B. Mitchell	L. C. White.
		Joseph Wright.

Those who voted in the negative, are:

Mr J. H. Derry.	Mr L. D. Gilbreath,	Mr X. J. Pindall
J. J. Davies	J. W. Gassett,	J. M. Thompson.
Mr. W. Duffie.	B. W. Johnson	
J. M. Foster.	D. J. Montgomery.	

Those absent or not voting, are

Mr. J. A. Ansley,	Mr D. D. Brock,	Mr W. W. Hughey.
A. H. Barton,	Neill Brown,	J. M. Jacks.
A. E. Beardsley,	W. H. Cate	J. E. Joslyn.
W. A. Beasley,	J. B. Chapline.	R. Lee.
C. E. Berry,	Charles Coffin.	A. J. Marsh
Wm. Barrow,	J. F. Cunningham	William Murphy,
D. Bridenbath	W. Foreman.	O. McCreary.

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Mr Robert Polk
H. M. Purefoy.
J. C. Rollins.
G. S. Scott.

Mr P. H. Spears.
J. S. Stephenson.
J. L. Strong.
S. P. Sweptson.

Mr J. W. Thomason
L. L. Thompson.
Chas. W. Sautersley.
J. F. Wheeler.
J. W. Williams.

So the Joint Resolution was passed.

Mr Erwin moved,

That the office of Speaker of the House now held by Chas. W. Sautersley, and the office of Clerk of the House, now held by Henry M. Cooper, and the office of Engraving Clerk now held by E. M. Main, and the office of Assistant Sergeant at Arms of the House, all of which offices were filled at the organization of this House, on the 6th day of January A. D. 1873, be declared vacant, and that the House at once proceed to permanently fill said vacancies.

Mr Mitchell moved as a Substitute,

That all the offices of the House be declared vacant.

Which was not agreed to.

Mr J. B. Chapline of the Tenth District, appeared, and took his seat within the bar of the House.

The question then being put on the motion submitted by Mr Erwin.

It was agreed to, then

On motion of Mr Supter,

Ordered, That the House proceed to the election of officers to fill such vacancies.

The Speaker pro tempore (Mr Diffie in the chair,) announced that nominations for Speaker were in order.

Mr Preston nominated Mr. J. H. Berry, of Benton County.

No further nominations being made,

May 16, 1874.

The House proceeded to vote viva voce for a Speaker, when it appeared that the following named members voted for Mr J. H. Berry.

Mr O. P. Anderson.	Mr L. D. Gelbreath.	Mr. I. B. McQuire.
H. H. Arnold.	J. Mc. Gist.	D. Montgomery.
J. B. Burton.	J. W. Gossett.	X. J. Pindall.
W. B. Carter.	D. G. Hart.	J. T. Preston.
David Chandler.	Mr E. Hawkins.	W. H. C. Reid.
J. D. Conway.	Mr. Nixon	O. P. Richardson
J. Cleveland.	D. J. Hynds	J. F. Smith
B. H. Crowley.	A. D. King.	J. J. Slaughter.
F. Daswell.	D. W. Johnson	J. Mc. Thompson.
L. W. Davis.	C. C. Johnson.	J. D. W. Tiller.
J. F. Davies.	L. L. Johnson.	J. S. Venable.
Mr. M. M. Duffie.	R. Joyner.	John C. Walker.
J. P. Eagle.	P. K. Lester.	J. W. Wheeler.
Mr. M. C. Erwin	L. B. Mitchell	A. J. Wheat.
A. W. Files	W. J. McCallan	Joseph Wright.

Mr J. H. Berry, voted for Mr M. M. Duffie, Mr J. B. Chapline voted for Mr J. P. Eagle.

Pending the vote.

Mr White when his name was called, asked, and was excused from voting.

The vote was then announced as above.

Recapitulation of the Votes for Speaker.

Mr J. H. Berry, received 45 votes.

Mr M. M. Duffie, received 1 vote.

Mr J. P. Eagle, received 1 vote.

Whole number of votes cast 47.

Necessary to a choice, 24.

May 16, 1874.

Mr J. H. Perry, having received a majority of the whole number of votes cast, was declared duly elected as Speaker of the House.

On motion of Mr Chapline, the Speaker *pro tempore* (Mr Duffie, in the Chair,) was authorized to appoint a Select Committee of three to conduct the Speaker to the chair.

The Speaker *pro tempore*, (Mr Duffie, in the Chair,) appointed as such Committee, Mr J. B. Chapline, J. B. Burton and D. J. Montgomery.

The Speaker being conducted to the Chair, and having taken the oath of office, entered upon the discharge of the duties of his office.

Nominations for Clerk of the House being in order:

Mr Mc Guire, nominated Charles C. Reed Jr. of Conway County.

No further nomination being made.

The House proceeded to vote *viva voce* for a Clerk of the House, when it appeared that the following named members voted for Charles C. Reed Jr.:-

Mr O. P. Anderson,	Mr J. Mc Foster.	Mr B. Mc Guire.
H. H. Arnold.	L. D. Gilbreath.	D. J. Montgomery.
J. B. Burton	J. Mc Gist.	X. J. Pindall
W. B. Carter.	J. W. Gossett.	J. D. Preston.
David Chaudler.	D. G. Hart.	W. H. C. Reed
J. B. Chapline.	Mr E. Hawkins.	O. P. Richardson
J. A. Conway.	Mr Nixon.	J. F. Smith
J. Cleveland.	D. J. Hynds.	J. J. Sumpter.
B. H. Crowley.	H. D. King.	J. Mc Thompson.
J. Doswell.	B. W. Johnson.	J. D. W. Viller.
L. W. Davis	C. C. Johnson	J. S. Venable.
J. F. Davies.	L. L. Johnson	John C. Walker.
Mr Mc Duffie.	R. Joyner.	A. J. Wheat.
J. P. Eagle	P. K. Lester	L. C. White
Mr Mc Erwin.	L. B. Mitchell.	Joseph Wright
A. W. Giles	W. D. Mc Clellan.	The Speaker.

So Charles C. Reed Jr. received 48 votes.

May 16, 1874.

Charles C. Reed, Jr. having received the whole number of votes cast, was declared duly elected as Clerk, and having taken the oath of office, entered upon the discharge of his duties.

Nominations for engrossing Clerk being in order,

Mr Eagle, nominated George W. St. Clair, of Lenoir County.

No further nominations being made.

The House proceeded to vote viva voice, for Engrossing Clerk, when it appeared that the following named members voted for George W. St. Clair.

Mr O. P. Anderson.	Mr J. M. Foster.	Mr B. McQuire.
H. H. Arnold.	L. D. Gilbreath	D. J. Montgomery.
J. B. Burton.	J. M. Gist.	L. J. Pindall
W. B. Carter.	J. W. Gassett.	J. D. Preston.
David Chandler.	D. G. Hart.	W. H. C. Reed
J. B. Chaplin.	Mr. E. Hawkins.	J. H. Smith
J. D. Conway.	Mr. Nixon.	J. J. Slaughter.
J. Cleveland.	D. J. Hynes.	J. M. Thompson.
B. H. Crowley.	A. D. King.	J. D. W. Miller.
F. Dossell.	B. W. Johnson.	J. S. Venable.
L. W. Davis.	C. C. Johnson.	John C. Walker.
J. D. Davies.	L. L. Johnson.	A. J. Wheat.
Mr. Mc. Duffie	A. Joyner.	L. C. White.
J. P. Eagle.	P. H. Lester.	Joseph Wright.
Mr. Mc. Erwin.	L. B. Mitchell.	The Speaker.
A. W. Files.	W. J. McCallaw.	

So George W. St. Clair, received 48 votes.

George W. St. Clair, having received the whole number of votes cast, was declared duly elected as Engrossing Clerk of the House, and having taken the oath of office, entered upon the discharge of his duties.

Nominations for Enrolling Clerk being in order, to fill the vacancy occasioned by the election of Charles C. Reed Jr. as Clerk.

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Mr Slaughter nominated Christopher Jordan, of Garland County.

Mr Preston nominated Phillip Lee Anthony, of Pulaski County.

Mr Davis, nominated James E. Pattonfield, of Pope County.

Mr Burton nominated R. S. Terkes, of Pulaski County.

No further nominations being made.

The House proceeded to vote viva voce for Enrolling Clerk of the House, when it appeared that the following named members voted for R. S. Terkes:

Mr J. B. Burton.	Mr J. D. Davies.	Mr L. L. Johnson
W. B. Carter.	Mr. M. Duffie	P. H. Lester
J. D. Conway.	H. W. Files.	B. M. Geire
F. Doswell.	Mr. E. Hawkins.	O. P. Richardson
— — —	Mr. Nixon	J. J. W. Diller.
— — —	A. D. King.	Joseph Wright.

The following named members voted for Christopher Jordan:

Mr J. B. Chapline.	Mr L. D. Gilbreath.	Mr. L. C. White
J. Cleveland.	L. B. Mitchell	The Speaker.
B. H. Crowley	W. H. C. Reid.	
J. M. Foster.	J. J. Slaughter.	

The following named members voted for James E. Pattonfield:

Mr L. W. Davis.	Mr D. J. Montgomery.	Mr J. S. Venable.
Mr. M. Erwin.	L. J. Pindall.	A. J. Wheat.
B. W. Johnson.	J. F. Smith.	
C. C. Johnson.	J. M. Thompson.	

The following named members voted for Phillip Lee Anthony: —

Mr O. P. Anderson	Mr J. P. Eagle.	Mr W. J. M. Chellaw.
H. H. Arnold.	D. J. Hynds.	J. J. Preston
David Chaudler.	A. Joyner.	John C. Walker.

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May 16, 1874.

Recapitulation of the first vote for Enrolling Clerk.

R. S. Jerkes, received - 16 votes.
 Christopher Jordan, received 10 votes.
 James E. Pattenfield, received 10 votes.
 Phillip Lee Anthony, received 9 votes.

Whole number of votes cast, 45.

Necessary to a choice 23.

majority of all the votes cast.

No person having received a

The House proceeded again to vote viva voce for Enrolling Clerk of the House, when it appeared that the following named members voted for R. S. Jerkes:—

Mr O. P. Anderson.	Mr W. M. Duffie.	Mr P. K. Lester.
J. B. Burton.	W. M. Erwin.	B. M. Guire.
W. B. Carter	A. W. Files	W. H. C. Reid.
J. B. Chapline.	W. E. Hawkins.	O. P. Richardson.
Charles Coffin.	W. Hixon.	J. D. W. Diller.
J. D. Conway.	A. D. King.	John C. Walker.
J. Cleveland.	B. W. Johnson.	L. C. White
B. H. Crowley.	C. C. Johnson.	Joseph Wright.
F. Doswell.	L. L. Johnson.	The Speaker.
J. D. Davies.	A. Joyner.	

The following named members voted for James E. Pattenfield:—

Mr A. H. Arnold.	Mr L. B. Mitchell.	Mr J. M. Thompson.
David Chaudler	W. D. McClellan.	J. S. Venable
F. Doswell.	D. J. Montgomery.	J. D. Wheeler.
J. P. Eagle	X. J. Pindall.	
J. M. Foster.	J. F. Smith.	

The following named members voted for Phillip Lee Anthony:—

Mr J. M. Gist. Mr D. J. Hynds and Mr J. D. Preston.

The following named members voted for Christopher Jordan:—

Mr L. D. Gilbreath and Mr J. J. Slaughter.

May 16, 1874.

Recapitulation of the Second vote for Enrolling Clerk:

R. S. Yerkes received - - 29 votes.

James E. Battenfield received - 13 votes.

Phillip Lee Anthony received - 3 votes.

Christopher Jordau, received - - 2 votes.

Whole number of votes cast, 47.

Necessary to a choice, 24.

R. S. Yerkes, having received a majority of all the votes cast was declared duly elected as Enrolling Clerk of the House, and having taken the oath of office entered upon the discharge of his duties.

Nominations for Assistant Sergeant at Arms being in order,

Mr Erwin nominated B. C. Morgan, of Lonoke County.

No further nominations being made,

The House proceeded to

vote *viva voce*, for Assistant Sergeant at Arms, when it appeared that the following named members voted for B. C. Morgan: -

Mr O. P. Anderson.	Mr A. W. Files.	Mr W. J. M. Clellan
H. H. Arnold.	J. M. Foster.	B. Mc Guire
J. B. Burton	L. D. Gilbreath	D. J. Montgomery.
W. B. Carter.	J. M. Gist.	X. J. Pindall.
David Chandler.	J. H. Gossett.	J. D. Preston.
J. B. Chapline	D. G. Hart.	W. H. C. Reid.
Charles Coffin.	Mo. E. Hawkins.	O. P. Richardson.
J. D. Conway.	Mo. Hixon.	J. D. Smith.
J. Cleveland.	D. J. Hynds	J. J. Slaughter.
B. H. Crowley.	A. D. King.	J. M. Thompson
J. Daswell.	B. W. Johnson	J. J. W. Tillis.
L. W. Davis.	C. C. Johnson.	J. S. Venable
J. F. Davies.	L. L. Johnson.	John C. Walker.
Mo. M. Duffie.	R. Joyner.	A. J. Wheat
J. P. Eagle.	P. M. Lester.	L. C. White
Mo. M. Erwin.	L. B. Mitchell.	Joseph Wright - The Speaker.

May 16, 1874.

P. C. Morgan, received 48 votes.

P. C. Morgan, having received the whole number of votes cast, was declared duly elected as an Assistant Sergeant at Arms.

The hour of 11 o'clock A. M. having arrived,

The House proceeded to consider the Special Order set for that hour, being the consideration of the bill of the House (H. R. 5.) entitled an Act to authorize the Auditor of State to draw his warrant on the Treasurers of State, for the funds appropriated for School purposes.

Then

On Motion of Mr Preston,

Ordered, that the Special order be postponed for five minutes.

By unanimous consent,

Mr Duffie, introduced a bill (H. R. 8.) entitled an Act to suspend the sale of personal property for taxes due thereon, for 1872. and 1873.

Which was read a first time.

By unanimous consent,

On motion of Mr Preston,

The Rules were Suspended, And

The bill was read a second time.

Mr Joyner moved that the bill be amended by striking out the words "first Monday of July 1874," and inserting in lieu thereof, "Second Monday in March 1875."

On motion of Mr Chapline,

Ordered, that the amendment lie on the table.

Mr Chapline moved that the rules be further suspended, and that the bill be read a third time.

Which was not agreed to (two-thirds of the members present not voting therefor.)

May 16, 1874.

The House resumed consideration of the Special order set for 11 o'clock A. M. being the consideration of the bill of the House (H. R. 5.) entitled an Act to authorize the Auditor of State to draw his warrant on the Treasurer of State, for the funds appropriated for School purposes.

Which was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - - -	49
Nays. -	none.
Not Voting.	33.

Those who voted in the affirmative are:

Mr O. P. Anderson.	Mr A. H. Diles.	Mr. W. J. McCallan.
H. H. Arnold.	J. M. Foster.	R. McQuire.
J. B. Burton.	L. D. Gilbreath.	D. J. Montgomery.
W. B. Carter.	J. M. Gist.	X. J. Pindall.
David Chandler.	J. W. Gossett.	J. D. Preston.
J. B. Chapline.	D. G. Hart.	W. H. C. Reed.
Charles Coffin.	Mr. E. Hawkins.	O. P. Richardson.
J. D. Conway.	Mr. Nixon.	J. D. Smith.
J. Cleveland.	D. J. Hynds.	J. J. Slaughter.
B. H. Crowley.	A. D. King.	J. M. Thompson.
F. Doswell.	B. W. Johnson.	J. D. W. Diller.
L. W. Davis.	C. C. Johnson.	J. S. Venable.
J. H. Davies.	L. L. Johnson.	John C. Walker.
Mr. M. Duffie.	R. Joyner.	A. J. Wheat.
J. P. Eagle.	P. H. Lester.	L. C. White.
Mr. M. Erwin.	L. B. Mitchell.	Joseph Wright.
		The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. H. Ansley.	Mr A. E. Beardsley.	Mr C. E. Berry.
H. H. Barton.	W. A. Beasley.	Thos Barrow.

May. 16. 1874.

Mr D. Brideuthal,
 D. D. Brock,
 Will Brown,
 W. H. Cate,
 J. T. Cunningham,
 W. Foreman,
 W. W. Hughey,
 A. B. Johnson,
 J. E. Joslyn.

Mr R. Lee.
 A. J. Marsh,
 William Murphy,
 P. M. Bowen,
 Robert Poek,
 H. M. Purefoy,
 J. C. Rollins,
 E. S. Scott,
 P. H. Spears.

Mr J. S. Stephenson.
 S. L. Strong,
 S. P. Swepston,
 J. W. Thomason,
 L. L. Thompson,
 Chas. W. Danksley,
 J. T. Wheeler,
 J. W. Williams.

So the Bill was passed.

By unanimous consent.

Mr Erwin from the Committee on Counties and County lines, to whom was referred the bill of the House (H. R. 4) entitled an Act to repeal an Act to remove the County seat of Pope County, Approved, April 25. 1873, and for other purposes, reported the same and recommended its passage. —

By unanimous consent.

On motion of Mr Davis,

The bill just reported was read a third time and placed upon its passage.

The question being put. Shall the Bill pass?

It was decided in the affirmative.

Yeas:	47.
Nays:	none.
Not Voting:	35.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
 H. H. Arnold,
 J. B. Burton,
 W. B. Carter,
 David Chandler,
 J. B. Chapline,
 Charles Coffin,
 J. D. Conway.

Mr J. Cleveland,
 F. Darwell,
 L. W. Davis,
 J. T. Davies,
 M. M. Duffie,
 J. P. Eagle,
 M. M. Erwin,
 A. H. Files.

Mr J. M. Foster,
 L. D. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. G. Hart,
 M. E. Hawkins,
 M. Hixon,
 A. D. King.

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Mr C. C. Johnson.	Mr D. J. Montgomery.	Mr J. M. Thompson.
L. L. Johnson.	X. J. Pindall	J. D. W. Diller.
A. Joyner.	J. D. Preston.	J. S. Venable.
P. K. Lester.	W. H. C. Reed.	John C. Walker.
L. B. Mitchell.	O. P. Richardson.	A. J. Wheat.
W. J. McCallaw.	J. F. Smith.	L. C. White.
B. M. Guire.	J. J. Sumpter.	Joseph Wright.
		The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr W. H. Hughey.	Mr G. S. Scott.
H. H. Barton.	D. J. Hynds.	P. H. Spears.
A. E. Beardsley.	T. M. Jacks.	J. S. Stephenson.
W. A. Beasley.	A. R. Johnson.	J. L. Strong.
C. E. Berry.	B. W. Johnson.	S. O. Sweetston.
Thos. Barrow.	J. E. Joslyn.	D. W. Thomason.
D. Bidenthal.	R. Lee.	L. L. Thompson.
D. D. Brock.	A. J. Marsh.	Chas. W. Tankersley.
Neill Brown.	William Murphy.	J. F. Wheeler.
W. H. Cate.	P. M. Cowen.	J. W. Williams.
B. H. Crowley.	Robert Polk.	
J. D. Cunningham.	H. M. Purefoy.	
W. Foreman.	J. C. Rollins.	

So the bill was passed:

By unanimous consent,

Mr Reed introduced a bill (H. R. 9.)
entitled an Act to repeal an Act entitled an Act to regulate the publica-
tion of legal notices, Approved, July 14, 1868.

Which was read a first time,

By unanimous consent, on

Motion of Mr Sumpter, under a suspension of the rules,
The bill was read a second time by title, and referred to the
Committee on Public Printing.

May 16, 1874.

A Message from the Senate, by Mr Orrick, their Secretary.

Senate Chamber.

Little Rock, Ark.

May 16.th 1874.

Mr Speaker,

I am instructed to inform your Honorable body of the passage by the Senate of Sub. to H. B. No. 1. - entitled an "Act to suspend the sale of delinquent lands & for other purposes," with the following amendment.

"Insert the words '1872' & 'before the words '1873,' wherever they appear," & which I herewith return for your concurrence.

I am also instructed to inform you that the Senate have passed S. B. No. 1. "An Act providing for a Convention of the people of the State of Arkansas, to frame a new Constitution," & herewith transmit the same for your favorable consideration.

W. W. Orrick, Secy.

On motion of Mr Davies,

The House proceeded to consider the bill of the Senate, (S. 1) entitled an Act to provide for a Convention of the people of the State of Arkansas, to frame a new Constitution.

Which was read a first time.

By unanimous consent,

On motion of Mr Gilbreath,

The Rules were suspended,

And

The bill was read a second time by title.

On motion of Mr Pindall,

The rules were further suspended, (two thirds of the members present voting therefor,) and

The bill was read a third time and placed upon its passage.

Mr Pindall moved that the bill be referred to the Committee.

May 16, 1874.

on the Judiciary, with instruction to inquire into the constitutionality of certain provisions of the bill.

After debate.

No objection being made, the motion to refer was withdrawn.

Then

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas: - - - -	50
Nays. - - - -	None.
Not Voting:	32.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr L. J. Montgomery
N. H. Arnold.	L. D. Gilbreath	X. J. Pindall.
J. B. Burton.	J. M. Gist.	J. E. Preston.
W. B. Carter.	J. W. Gossett.	W. H. C. Ried
David Chandler.	D. G. Hart.	O. P. Richardson
J. B. Chapline.	Mr. E. Hawkins.	J. F. Smith.
Charles Coffin.	Mr. Nixon.	J. J. Sumpter.
J. D. Conway.	D. J. Hynds.	J. M. Thompson.
J. Cleveland	A. D. King.	J. W. Thomason.
B. H. Crowley.	B. W. Johnson.	J. D. W. Tiller.
F. Doswell.	C. C. Johnson.	J. S. Venable.
L. W. Davis.	L. L. Johnson.	John C. Walker.
J. F. Davies.	R. Doxner.	A. J. Wheat.
Mr. M. Duffie.	P. H. Lester.	L. C. White
J. P. Eagle	L. B. Mitchell.	Joseph Wright.
Mr. M. Erwin.	W. D. McCallaw.	The Speaker.
A. W. Files.	B. M. Guire.	

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr W. A. Beasley.	Mr D. Bidenthal.
H. H. Barton.	C. E. Berry.	D. D. Brock.
A. E. Beardsley.	Thos. Barrow.	Neill Brown.

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Mr H. H. Cate.	Mr A. J. Marsh.	Mr J. S. Stephenson.
J. D. Cunningham.	William Murphy.	S. L. Strong.
W. Foreman.	P. M ^c . Bowen.	S. P. Sweeton.
W. W. Hughey.	Robert Poole.	L. L. Thompson.
D. M. Jacks.	H. M. Purefoy.	Chas. W. Tankersley.
A. R. Johnson.	J. C. Rollius.	J. D. Wheeler.
J. E. Joslyn.	G. S. Scott.	J. W. Williams.
R. Lee.	P. H. Spears.	

So the bill was passed.

Mr Conway moved that the vote last taken be reconsidered, and that that motion lie on the table;

Which latter motion was agreed to.

On motion of Mr Diller.

Ordered.

That the Sergeant at arms of this House be, and is hereby instructed to make all proper endeavors to at once obtain possession of the Hall of the House of Representatives, with a view to put it in proper repair for the use of this House.

Mr Davies moved that the House take a recess until 3 o'clock P. M.

Which was not agreed to.

On motion of Mr Preston.

The House proceeded to consider the Substitute for the bill of the House (Sub. H. R. 1.) entitled an Act to suspend the sale of delinquent lands, and for other purposes, together with the Senate amendment thereto, as follows:

Insert the words "Eighteen hundred and seventy two and" before the words "Eighteen hundred and seventy three," wherever they appear.

The question being put, Shall the House concur in the Senate amendment?

It was decided in the affirmative.

{	Yeas.	47.
	Nays	None.
	Not voting.	35.

May 16, 1874.

Those who voted in the affirmative, are:

Mr J. B. Burton,	Mr L. D. Gilbreath,	Mr B. Mc Guire.
W. B. Carter,	J. M. Gist.	D. J. Montgomery.
David Chandler,	J. W. Gossett.	X. J. Pindall.
Charles Coffin.	D. G. Hart.	J. D. Preston.
J. D. Conway,	Mr. E. Hawkins.	W. H. C. Reed.
J. Cleveland,	Mr. Nixon.	O. P. Richardson.
P. H. Crowley,	D. J. Hynds	J. J. Slaughter
F. Doswell,	A. D. King.	J. M. Thompson.
L. W. Davis.	A. R. Johnson.	J. D. W. Tiller.
J. F. Davies.	C. C. Johnson.	J. S. Venable,
Mr. M. Duffie.	L. L. Johnson.	A. J. Wheat.
J. P. Eagle,	A. Joyner.	L. C. White.
Mr. M. Erwin.	P. M. Lester.	Joseph Wright.
A. W. Files.	L. B. Mitchell.	The Speaker.
J. M. Foster.	W. J. McCallan.	

None voting in the negative.

Those absent or not voting are:

Mr O. P. Anderson,	Mr J. B. Chapline.	Mr H. Mc Purefoy.
J. A. Ansley.	J. D. Cunningham.	J. C. Rollins.
H. H. Arnold.	W. Foreman.	G. S. Scott.
H. H. Barton.	W. W. Hughey.	J. D. Smith
A. E. Beardsley.	D. M. Jacks.	P. H. Spears.
W. A. Beasley.	B. H. Johnson.	S. L. Strong.
C. E. Berry.	J. E. Joslyn.	S. P. Swepton.
Thos. Barrow.	R. Lee.	D. W. Thomason.
D. Brideuthal.	A. J. Marsh.	Chas. W. Tankersley.
D. D. Brock.	William Murphy.	L. L. Thompson.
Neill Brown.	P. Mc Bowen.	J. D. Wheeler.
W. H. Cate.	Robert Polk.	J. W. Williams.

So the Senate amendments were concurred in.

The Speaker laid before the House the following communication from R. H. Ober, of the State Guards, which was read, viz:

May 16. 1874.
 Little Rock Ark. May 16. 1874.

Hon. Mr Perry.

Speaker of the House.

Dr. Sir.

I am directed by Maj Genl. R. C. Newton, to notify you that he has been applied to by C. E. Berry, and Neill Brown, for a pass and protection to come to the House of Reps. in which they claim seats, - which he has granted + will give them such escort as is necessary.

He also directs me to state to you that he has positive evidence that these Gentlemen have been in armed insurrection against the lawful authorities of the State - which will be furnished to your body if required.

Respectfully,

A. H. Ober.

By unanimous consent,

On motion of Mr Wheat,

The House proceeded to consider the bill of the House (H. R. 6.) entitled an Act to amend Sections 117 and 196, of the Act entitled an Act regulating the assessment and collection of revenue, approved, April 28, 1873.

Which was read a second time.

And

On motion of Mr Wheat, was referred to the Committee on the Judiciary.

Then,

On motion of Mr Sumpter,

The House took a recess until 4 o'clock P. M.

After the Recess.

The House met at 4 o'clock P. M.

Mr L. L. Thompson, a member elect from the Tenth District,

May 16, 1874.

appeared, and having taken the oath of office, took his seat within the bar of the House.

By unanimous consent,

On motion of Mr Reed,

The House proceeded to consider the bill of the House (H. R. 8.) entitled an Act to suspend the sale of personal property for the tax due thereon, for 1872 and 1873.

By unanimous consent,

On motion of Mr Pindall,

The rules were suspended, and the bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas;	44.
Nays;	2.
Not voting:	36.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr L. D. Gilbreath,	Mr D. J. Montgomery,
A. H. Arnold,	J. M. Gist,	X. J. Pindall,
J. B. Burton,	J. W. Gossett,	J. D. Preston,
W. B. Carter,	D. G. Hart,	W. H. C. Reed,
David Chandler,	Mr. E. Hawkins,	J. F. Smith,
J. B. Chaplin,	Mr. Nixon,	J. J. Sumpster,
J. D. Conway,	D. J. Hynds,	J. M. Thompson,
J. Cleveland,	H. D. King,	L. L. Thompson,
B. H. Crowley,	C. C. Johnson,	J. D. W. Diller,
L. W. Davis,	L. L. Johnson,	J. S. Venable,
J. D. Davies,	R. Joyner,	John C. Walker,
Mr. M. Duffie,	A. M. Lester,	A. J. Wheat,
J. P. Eagle,	L. B. Mitchell,	L. C. White,
Mr. M. Erwin,	W. J. McCallan,	Joseph Wright,
A. W. Files,	B. M. Guire,	The Speaker.

May 16. 1874.

Those who voted in the negative, are:

Mr Charles Coffin, Mr F. Doswell.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. M. Foster.	Mr O. P. Richardson.
H. H. Barton.	W. W. Hughey.	J. C. Rollins.
A. E. Beardsley.	J. M. Jacks.	G. S. Scott.
W. A. Beasley.	A. R. Johnson.	P. H. Spears.
C. E. Berry.	B. W. Johnson.	J. S. Stephenson.
Thos. Barrow.	J. E. Joslyn.	S. L. Strong.
D. Bridenthal.	R. Lee.	S. P. Sweetston.
D. D. Brock.	A. J. Marsh.	Chas W. Taubersley.
Neill Brown.	William Murphy.	D. W. Thomason.
W. H. Cate	P. M ^c . Cowen.	J. F. Wheeler.
J. D. Cunningham	Robert Poek.	J. W. Williams.
W. Foreman.	H. M. Purefoy.	

So the bill was passed.

And then

On Motion of Mr Erwin.

The House at 4 o'clock 35 minutes P. M. adjourned until
10 o'clock A. M. of Monday May 18. 1874.

Approved:

Wm C Rice
Clerk of the House.

James H. Berry
Speaker of the House.

House of Representatives.
Monday, May 18, 1874.

The House met at 10 o'clock, A. M.

On Motion of Mr Eagle. Leave of absence was granted Mr J. B. Chapline, for two days.

Mr Preston asked and obtained, Leave of absence for Mr D. J. Hynds, for the day, on account of sickness.

The Roll being called, it appeared that the following named members were present and answered to their names, viz:

Mr O. A. Anderson,	Mr J. M. Foster,	Mr L. J. Pindall,
A. H. Arnold,	L. D. Gilbreath	J. D. Preston,
A. H. Barton,	J. M. Gist,	W. H. C. Ried,
D. D. Brock,	J. W. Gossett,	O. P. Richardson,
J. B. Burton,	D. G. Hart,	J. F. Smith
W. B. Carter,	Mr E. Hawkins	J. S. Stephenson,
David Chaudler,	Mr. Hixon	J. J. Sumpster,
J. D. Conway,	A. D. King,	J. M. Thompson,
J. Cleveland,	B. H. Johnson,	D. W. Thomason,
B. H. Browley,	C. C. Johnson,	J. D. W. Tiller,
F. Doswell,	L. L. Johnson,	J. S. Venable,
L. W. Davis,	R. Joyner,	John C. Walker,
J. H. Davies,	P. K. Lester,	A. J. Wheat,
Mr. M. Erwin,	W. J. McClellan,	L. C. White,
A. W. Files,	B. McQuire,	Joseph Wright,
	D. J. Montgomery,	The Speaker,

A Prayer by the Chaplain Pro Tempore.

The Journal of Saturday, May 16, 1874, was read and approved.

The Speaker appointed the following additional Standing Committee of the House,

On Internal Improvements.

May 18, 1874.
 J. D. Davies.
 J. D. Smith
 O. P. Richardson.
 M. Nixon.
 J. M. Gist.
 B. M. C. Guire.
 W. B. Carter

On County and Probate Courts.

W. J. M. C. Kellan.
 L. L. Thompson.
 D. J. Hynds.
 D. W. Thomason.
 W. H. C. Ried.
 J. B. Chapline.
 Charles Coffin.

On Banks.

H. D. King.
 Neill Brown.
 D. Chandler.
 Joseph Wright.
 L. C. White.
 C. C. Johnson.
 L. W. Davis.

On Immigration.

J. Cleveland.
 J. P. Eagle.
 M. E. Hawkins.
 J. W. Gossett.
 J. L. Conway.
 R. Joyner.
 D. J. Montgomery.

On Cities and Towns.

W. B. Carter.
 H. H. Arnold.
 W. A. Beasley.
 J. P. Venable.
 J. J. Sumpter.
 C. E. Berry.
 L. L. Johnson.

On Insurance.

May 18, 1874.

D. G. Hart.
 D. Bridenthal,
 W. H. Cate.
 M. M. Erwin.
 M. M. Duffie,
 A. J. Wheat.
 F. Doswell.

On motion of Mr B. W. Johnson,

The Speaker was authorized to appoint a Select Committee of five, whose duty it shall be, to immediately call upon Henry Page, Treasurer of the State, and ascertain the amount and kind of funds he now has on hand, and if necessary count the same, and report the fact to this House.

The Speaker appointed as such Committee.

Mr B. W. Johnson, J. D. Davies, A. J. Wheat, L. L. Johnson and L. C. White.

Mr Burton submitted the following preamble and resolution which was read and agreed to, viz:

Whereas, Certain officers of this State, in the several branches of the Government, have been recently in open and armed rebellion against the State Government, therefore,

Resolved, That the Committee on Judiciary, be instructed to inquire if there is any legislation necessary to bring such officers to speedy and effective punishment; and to report at an early day, by bill or otherwise.

On motion of Mr Walker.

Ordered, That the Speaker and Clerk of this House are hereby instructed not to certify per diem to any member or officer of this House, for time that he is absent, unless he be excused by the House in consequence of physical inability.

Mr Hawkins, gave notice of the introduction of a bill to be

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entitled an Act authorizing the Governor to declare vacancies in certain offices, when they fail to file bonds as required by law, and for other purposes.

Mr C. C. Johnson, gave notice of the introduction of a bill to be entitled an Act to reduce the term of Sheriffs holding office to two years.

By unanimous consent,

Mr Joyner, introduced a bill (H. R. 10.) entitled an Act to repeal an Act, Approved April 23, 1873. An Act entitled an Act to authorize the Governor to appoint a State Geologist, to develop the mineral resources of the State of Arkansas, and for other purposes.

Which was read a first time.

By unanimous consent,

On motion of Mr Slaughter, The rules were suspended and the bill was read a second time by title.

On motion of Mr Davies,

The rules were further suspended (two-thirds of the members present voting therefor,) and

The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	48.
Nays.	None.
Not Voting.	34.

Those who voted in the affirmative, are:

Mr C. P. Anderson	Mr J. B. Burton.	Mr J. Cleveland
H. H. Arnold.	W. B. Carter.	B. H. Crowley.
H. H. Barton.	David Chandler.	T. Doswell.
Neill Brown.	J. D. Conway.	L. W. Davis.

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Mr J. D. Davies.	Mr B. W. Johnson.	Mrs O. P. Richardson.
Mr. M. Duffie	C. C. Johnson.	J. D. Smith.
Mr. M. Erwin.	L. L. Johnson.	J. J. Supter.
A. W. Files.	R. Joyner.	J. M. Thompson.
J. M. Foster.	A. H. Lester.	J. W. Thomason.
L. D. Gilbreath.	L. B. Mitchell.	J. D. W. Diller.
J. M. Gist.	W. J. McCallaw.	J. S. Vinable.
J. W. Gossett.	B. McGuire.	John C. Walker.
S. G. Hart	D. J. Montgomery.	A. J. Wheat.
Mr. E. Hawkins.	X. J. Pindall.	L. C. White.
Mr. Nixon.	J. D. Preston.	Joseph Wright.
A. D. King.	W. H. C. Ried.	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. P. Eagle.	Mrs Robert Polk.
A. E. Beardsley.	W. Foreman.	H. M. Purefoy.
W. H. Beasley.	W. W. Hughey.	J. C. Rollins.
C. E. Perry.	D. J. Hynds.	G. S. Scott.
Thos. Barrow.	J. M. Jacks.	R. H. Spears.
D. Bridgethal.	H. B. Johnson.	J. S. Stephenson.
L. D. Brock.	J. E. Joslyn.	F. L. Strong.
W. H. Cate	R. Lee.	S. P. Swepton.
J. O. Chapline	A. J. Marsh.	L. L. Thompson.
Charles Coffin.	William Murphy.	C. W. Tankersley.
J. F. Cunningham.	P. M. Cowen.	J. F. Wheeler.
		J. W. Williams.

So the Bill was passed.

By unanimous consent.

Mr Cleveland introduced a Joint Resolution (H. J. Res. 3.) a joint resolution providing for the appointment of a joint committee, to report the damage done to property of the State.

Which was read a first time.

On motion of Mr Gist, under a suspension of the rules,

May 18. 1874.

The joint resolution was read a second time.

On motion of Mr Pindall: under a further suspension of the rules.

The joint resolution was read a third time and placed upon its passage.

The question being put. Shall the joint resolution pass?

It was decided in the affirmative

Yeas.	48.
Nays.	None.
Not Voting:	34.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. M. Foster,	Mr X. J. Pindall.
H. H. Arnold.	L. D. Gilbreath.	J. D. Preston.
H. H. Barton.	J. M. Gist.	W. H. C. Ried.
D. D. Brock.	J. W. Gassett.	O. P. Richardson.
J. B. Burton.	D. G. Hart.	J. D. Smith.
W. B. Carter	Mr. E. Hawkins.	J. J. Sumpter.
David Chandler.	Mr. Nixon.	J. M. Thompson.
J. D. Conway.	At. D. King.	J. W. Thomason.
J. Cleveland.	B. W. Johnson.	J. D. W. Tiller
B. H. Crowley.	C. C. Johnson.	J. S. Venable.
J. Doswell.	L. L. Johnson.	John C. Walker.
L. W. Davis	R. Joyner.	H. J. Wheat.
J. D. Davies	P. K. Lester.	L. C. White.
Mr. M. Duffie.	L. B. Mitchell	Joseph Wright
Mr. M. Erwin	W. D. McCallum.	D. J. Montgomery.
A. W. Files.	B. McQuire.	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr D. Bridenthal.	Mr J. F. Cunningham
A. E. Beardsley.	Neill Brown.	W. Foreman.
W. H. Beasley.	W. H. Cate.	W. W. Keighey.
C. E. Berry.	J. B. Chapline.	D. J. Hynds.
Thos. Barrow.	Charles Coffin.	D. M. Jacks.

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Mr A. R. Johnson.	Mr Robert Cook.	Mr S. L. Strong.
J. E. Joslyn.	H. M. Purefoy.	S. P. Sweeiston.
R. Lee.	J. C. Collins.	C. W. Danksley.
H. J. Marsh.	E. S. Scott.	L. L. Thompson.
William Murphy.	O. H. Spears.	J. D. Wheeler.
P. M ^c Lowen.	J. S. Stephenson.	J. W. Williams.

So the joint resolution was passed,
Whereupon,

The Speaker appointed as such Committee on the part of the House, Mr J. Cleveland, X. J. Pindall, and L. B. Mitchell and J. F. Smith.

A message from the Senate, by Mr Orrick, their Secretary.

Senate Chamber.
Little Rock, Ark. May 18, 1874.

Mr. Speaker.

I am instructed by the Senate to inform your Honorable body of the passage by the Senate of H. B. No. 5 entitled "an Act to authorize and empower the Auditor to draw his warrant on the Treasurer of State for the School fund,"

Also, of H. B. #8, "an act to suspend the sale of personal property, for the non-payment of the taxes due thereon, for the years 1872 + 1873. and herewith respectfully return the same.

W. W. Orrick,
Secretary.

By unanimous consent.

Mr Files introduced a bill (H. R. 11) entitled an Act for the relief of the tax-payers of Ashley and Drew Counties.

Which was read a first time.

On motion of Mr Pindall, under a suspension of the rules

The bill was read a second time by title, and

On motion of Mr Pindall,

Was referred to the Committee of Ways and Means.

May 18, 1874.

By unanimous consent,

Mr. Burton introduced a bill (H. R. 12), entitled an act to prevent frauds in the disbursement of the public School funds, and for other purposes.

Which was read a first time.

On motion of Mr. Duffie, under a suspension of the rules,

The bill was read a second time. And

On motion of Mr. Sumpter, was referred to the Committee on Education.

By unanimous consent,

Mr. King introduced a bill (H. R. 13), entitled an Act to regulate and prescribe the manner in which the interest and principal of the public debt, shall be paid.

Which was read a first time.

On motion of Mr. Davis, under a suspension of the rules,

The bill was read a second time by title.

Pending the further consideration of the bill.

A message from his Excellency Elisha Baxter, the Governor, by Genl. M. McCanany, his private secretary.

Executive Office,
State of Arkansas.
Little Rock, May 18, 1874.

To the House of Representatives, Arkansas.

Gentlemen:

I herewith transmit "Joint Resolution to the President of the United States", and an "Act to suspend the sale of Delinquent Lands, and for other purposes," all of which have been approved.

May 18. 1874.
Elisha Baxter,
Governor of Arkansas.

The House having resumed consideration of the bill of the House, (H. R. 13.) entitled an Act to regulate and prescribe the manner in which the interest and principal of the public debt shall be paid.

Mr Davis moved that the rules be further suspended, and that the bill be read a third time.

Which was not agreed to, (two-thirds of the members present not voting therefor.)

On motion of Mr Duffie, Ordered, that the bill be referred to the Committee on the Judiciary.

By unanimous consent,

After discussion,

On Motion of Mr Preston, The vote of which the bill was ordered referred was reconsidered.

When no objection being made,

Mr Duffie withdrew the motion that the bill be referred to the Committee on the Judiciary.

When

By unanimous consent,

On motion of Mr White, the rules were further suspended, and

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	48
	Nays	None.
	Not Voting:	34.

May 18, 1874.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr J. M. Foster	Mr S. J. Montgomery.
H. H. Arnold.	L. D. Gilbreath.	L. J. Pindall
H. H. Barton.	J. M. Gist.	J. D. Preston.
S. D. Brock,	J. W. Gossett,	W. H. C. Reid.
J. B. Burton,	D. G. Hart,	O. P. Richardson.
W. B. Carter.	Mr. E. Hawkins.	S. F. Smith.
David Chandler.	Mr. Nixon.	J. J. Sumpter,
J. Cleveland.	H. D. King.	J. M. Thompson,
J. D. Conway.	B. W. Johnson,	E. W. Thomason.
B. H. Crowley.	C. C. Johnson,	J. D. W. Viller.
F. Doswell,	L. L. Johnson,	J. P. Venable.
L. W. Davis.	R. Joyner.	John C. Walker.
J. F. Davies.	P. K. Lester,	A. J. Wheat.
Mr. M. Duffie.	L. B. Mitchell,	L. C. White.
Mr. M. Erwin.	W. J. McCallan,	Joseph Wright.
A. W. Files.	B. McGuire.	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. P. Eagle.	Mr Robert Poek.
A. E. Beardsley.	W. Foreman.	H. M. Purefoy.
W. A. Beasley.	W. W. Hughey.	J. C. Rollins.
C. E. Berry.	D. J. Hynds.	G. S. Scott.
Thos. Barrow.	D. M. Jacks.	P. H. Spears.
D. Bridenthal.	H. R. Johnson.	J. S. Stephenson.
Neill Brown.	J. E. Joslyn.	S. L. Strong.
W. H. Cate.	R. Lee.	S. P. Sweptown.
J. B. Chapline.	A. J. Marsh.	C. W. Tankersley.
Charles Coffin.	William Murphy.	L. L. Thompson.
J. F. Cunningham.	P. M. Cowen.	J. D. Wheeler.
		J. W. Williams.

So the bill was passed.

By unanimous consent:

Mr Wheat, introduced a joint resolution (H. J. Res 4.) a joint resolution tendering thanks of the

May 18. 1874.

General Assembly to Officers and Soldiers of the State Militia.

Which was read a first time.

On motion of Mr Wheat, under a suspension of the rules.

The joint resolution was read a second time.

And

On motion of Mr White,

Was referred to the Committee on Militia.

By unanimous consent,

Mr Pindall introduced a bill (H. R. 14.)
entitled an Act providing for the removal of the County seat of
Desha County.

Which was read a first time.

On motion of Mr Sumpster, under a suspension of the rules,

The bill was read a second time by title.

Pending the further
consideration of the bill.

A message from the Senate, by Mr Orrick, their Secretary. Viz:

Senate Chamber,
Little Rock, Ark.

May 18. 1874.

Mr Speaker,

I am instructed by the Senate, to inform your
honorable body of the passage by the Senate of H. R. # 4. -
entitled, "An Act entitled an Act, to repeal an Act to remove
the County seat of Pope County, Approved, April 25. 1873. & for
other purposes." with the following amendment.

At the end of Section three, after the word "effect",
add the words. And Dover shall continue to be the County
seat of Pope County, and herewith respectfully return
the same.

H. W. Orrick,

Secretary.

May 18, 1874.

The House having resumed consideration of the bill of the House, (H. R. 14.) entitled an Act providing for the removal of the County seat of Desha County.

By unanimous consent,

On motion of Mr Gilbreath, the rules were further suspended, And

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas. - - -	46.
	Nays. - - -	None.
	Not Voting:	36.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr B. Mc Guire.
H. H. Arnold.	L. D. Gilbreath.	D. J. Montgomery.
D. D. Brock	J. M. Gist.	X. J. Pindall.
J. B. Burton	J. W. Gossett.	J. O. Preston.
W. B. Carter.	D. G. Hart.	W. H. C. Ried.
David Chandler.	Mr. E. Hawkins.	S. T. Smith.
J. D. Conway.	Mr. Nixon.	J. J. Slaughter.
J. Cleveland.	A. D. King.	D. M. Thompson.
B. H. Crowley.	B. W. Johnson	D. W. Thomason.
F. Doswell.	C. C. Johnson.	J. D. W. Diller.
L. W. Davis.	L. L. Johnson.	J. P. Venable.
J. H. Davies.	A. Joyner.	John C. Walker.
Mr. M. Duffie.	P. R. Lester.	H. J. Wheat.
Mr. M. Erwin.	L. B. Mitchell.	L. C. White.
A. W. Files.	W. J. Mc Clellan.	Joseph Wright.
		The Speaker.

None voting in the negative.

Those absent or not voting
Are

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Mr J. A. Ansley.	Mr J. P. Eagle.	Mr H. M. Purefoy.
A. H. Barton.	W. Foreman.	O. P. Richardson.
A. E. Beardsley.	W. W. Hughes.	J. C. Rollins.
W. A. Deasley.	D. J. Hynds.	G. S. Scott.
C. E. Berry.	D. M. Jacks.	P. H. Spears.
Thos. Barrow.	A. R. Johnson.	J. S. Stephenson.
D. Bridecuthal.	J. E. Joslyns.	S. L. Strong.
Neill Brown.	R. Lee.	S. P. Swepton.
W. H. Cate.	A. J. Marsh.	L. L. Thompson.
J. B. Chaplin.	William Murphy.	C. W. Tankersley.
Charles Coffin.	P. M. Cowan.	J. H. Wheeler.
J. H. Cunningham.	Robert Polk.	J. H. Williams.

So the bill was passed.

On motion of Mr White,

The House proceeded to consider the bill of the House (H. R. 4.) entitled an Act to remove the County seat of Pope County, approved April 25. 1873. and for other purposes, together with the Senate amendment thereto, viz:

At the end of Section 3, after the word "effect," add the words "And Dover shall continue to be the County seat of Pope County."

Mr Preston moved that the House concur in the Senate amendment.

The question being put, Shall the Senate amendment be concurred in?

It was decided in the affirmative.

{	Yeas. — —	45
	Nays. — —	None
	Not Voting:	37.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr W. B. Carter.	Mr J. F. Davies.
H. H. Arnold.	David Chandler.	M. M. Duffie.
A. H. Barton.	B. H. Crowley.	M. M. Erwin.
D. D. Brock.	D. Doswell.	A. H. Files.
J. B. Burton.	L. H. Davis.	L. D. Gilbreath.

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Mr J. M. Gist.	Mr A. K. Lester.	Mr J. J. Sumpter.
J. W. Gossett.	L. B. Mitchell.	J. M. Thompson.
D. H. Hart.	W. J. McCallan.	J. W. Thomason
Mr. E. Hawkins.	D. McQuire.	J. D. W. Diller.
Mr. Nixon.	D. J. Montgomery.	J. P. Venable.
H. D. King.	L. J. Pindall.	John C. Walker.
B. W. Johnson.	J. D. Preston	H. J. Wheat.
C. C. Johnson.	W. H. C. Ried.	L. C. White.
L. L. Johnson	O. P. Richardson.	Joseph Wright.
R. Joyner.	J. D. Smith.	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. D. Cunningham.	Mr P. McBowen.
H. E. Beardsley.	J. P. Eagle.	Robert Poek.
W. A. Beasley.	W. Foreman.	H. M. Pirefoy.
C. E. Berry.	J. M. Foster.	J. C. Rollins.
Thos. Barrow.	W. W. Hughey.	G. S. Scott.
D. Bridenthal	D. J. Hynds.	O. H. Spears.
Neill Brown.	D. McJacks.	J. S. Stephenson
W. H. Cate.	H. R. Johnson.	S. L. Strong.
J. B. Chapline.	J. E. Joslyn.	S. P. Swepton
Charles Coffin.	R. Lee.	L. L. Thompson.
J. D. Conway.	H. J. Marsh.	C. W. Danksley.
J. Cleveland.	William Murphy.	J. D. Wheeler.
		J. W. Williams.

So the Senate amendment was concurred in.

By unanimous consent:

Mr Walker introduced a bill (H. R. 15.) entitled an Act to repeal an Act entitled an Act in relation to the forfeited lands in certain Counties, in the State of Arkansas. Approved; April 29, 1873.

Which was read a first time.

On motion of Mr Crowley, under a suspension of the rules, The Bill was read a second time by title.

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And, On motion of Mr Crowley, Was referred to the Committee on State lands.

By unanimous consent,

Mr Davies introduced a bill (H. R. 16) entitled an Act to change the name of Clayton County, to that of Anthony.

Which was read a first time.

On motion of Mr Davies, under a suspension of the rules

The bill was read a second time.

Mr Gilbreath, moved that the rules be further suspended, and that the bill be read a third time.

Which was not agreed to, (two-thirds of the members present not voting therefor.)

By unanimous consent,

Mr Erwin from the Committee on Counties and County lines, to whom was referred the bill of the House (H. R. 3) entitled, an Act to change the boundary line between the Counties of Monroe and Prairie, reported the same and recommended its passage.

On motion of Mr Preston,

Ordered, That the bill just reported lie on the table subject to the call of the House.

Mr Preston moved that the House take a recess until 3 o'clock, P. M.

Mr Sumpter moved as a substitute, that the House take a recess until 4 o'clock, P. M.

Which was not agreed to.

The question recurring on the original motion, It was agreed to. And

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The House accordingly took a recess, until 3 o'clock P.M.

After the Recess.

The House met at 3 o'clock P.M.

The Speaker announced as the order of business the introduction of bills.

Mr Pindall, introduced a bill (H. R. 17.) entitled an Act to protect public and private levees.

Which was read a first time.

On motion of Mr Pindall, under a suspension of the rules.

The bill was read a second time by title. And

on motion of Mr Pindall,

Was referred to the Committee on the Judiciary

Mr Joyner, introduced a bill (H. R. 18.) entitled an Act to repeal an Act to establish an Insurance Bureau, Approved, April 25, 1873.

Which was read a first time.

On motion of Mr Davis, under a suspension of the rules.

The bill was read a second time by title.

And

On motion of Mr B. W. Johnson,

Was referred to the Committee on the Judiciary.

Under the Rule,

Mr B. W. Johnson, from the Committee on Enrolled Bills, reported as correctly enrolled the bill of the House (H. R. 4.) entitled an Act to repeal an Act entitled an Act to move the County seat of

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Pope County, Approved, April 25. 1873, and for other purposes.

Mr J. M. Thompson introduced a bill (H. R. 19.) entitled an Act to remove the County seat of the County of St. Francis,

Which was read a first time.

On motion of Mr Joyner, under a suspension of the rules.

The bill was read a second time.

On motion of Mr Reed,

Was referred to the Committee on Counties and County lines.

By unanimous consent,

Mr White gave notice of the introduction of a bill to be entitled, an Act to prevent the Commissioner of State Lands from receiving what is known as "levee bonds", in payment for State lands.

Mr Hart introduced a bill (H. R. 20.) entitled, an Act making an appropriation for the payment of the Registrar, for the year 1873.

Which was read a first time.

On motion of Mr Hart, under a suspension of the rules.

The bill was read a second time by title, And

On motion of Mr Wright,

Was referred to the Committee of Ways and Means.

By unanimous consent,

Mr J. M. Thompson, gave notice of the introduction of a bill to be entitled, an Act repealing all laws making State Treasurers Warrants receivable for District School Taxes, and providing that no funds except the Currency of the United States and the warrants of the several

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Districts, shall be receivable in payment for such taxes.

By unanimous consent,

Mr Nixon gave notice of the introduction of a bill to be entitled, an Act to change the name of Barber County.

By unanimous consent,

Mr J. M. Thompson, also, gave notice of the introduction of a bill to be entitled, an Act to amend Sections 7. 19. 29. 33. 48. 54. 56. 60. 61. 68 + 72. of an Act entitled, "an Act regulating the assessment and collection of revenue", Approved April 28, 1873.

By unanimous consent,

Mr. Mr. C. C. Clellan, gave notice of the introduction of a bill to be entitled, an Act to repeal all laws authorizing the payment of County taxes in State warrants.

By unanimous consent,

On motion of Mr Aied, the thanks of the House was tendered to Simmons & Co. of this City, for furnishing furniture sufficient for the use of the House, to enable them to proceed with business.

By unanimous consent,

Mr Files, gave notice of the introduction of a bill to be entitled, an Act to change the time for holding the Sessions of the Supreme Court of this State.

On motion of Mr White,

Ordered, That the House proceed to the election of an additional Clerk to transcribe the Journal of the House.

Nominations for such Clerk being in order.

Mr Wheat, nominated John J. Williams.

Mr White, nominated James E. Battenfield.

Mr Hart, nominated W. R. Burke, of Helena.

Mr Preston, nominated Charles W. Arnett, of Woodruff County.

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Before the roll was called.

By unanimous consent, on motion of Mr Joyner.

The Clerk was authorized to appoint such Clerk.

P. C. Morgan, Assistant Sergeant at Arms, appeared, and having taken the oath of office, entered upon the discharge of his duties.

On motion of Mr Duffie,

The Speaker was authorized to appoint a Select Committee of three, to ascertain and report whether any member of the House is prevented from being present, by reason of the military forces.

The Speaker appointed as such Committee, Mr. M. M. Duffie, W. J. McCallan and Joseph Wright.

On motion of Mr Sumpster,

The Select Committee just appointed were further instructed to inquire and report whether any member of the House have been in armed and open rebellion against the legal Government of the State.

Mr Burton, moved that Master Hubrey L. Banks, be appointed a Page of the House.

After Discussion.

On motion of Mr White,

Ordered, that the motion lie on the table.

On motion of Mr Preston,

The House proceeded to consider the bill of the House (H. R. 3.) entitled an Act to change the boundary line between the Counties of Monroe and Prairie.

Which was read a third time and placed upon its passage.

The question being put.

Shall the bill pass?

May. 18, 1874.

It was decided in the affirmative.

Yeas. - - - -	49.
Nays. - - - -	None.
Not voting:	33.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
 H. H. Arnold,
 H. H. Barton,
 L. D. Brock,
 J. O. Burton,
 W. B. Carter,
 David Chaudler,
 Charles Coffin,
 J. S. Conway,
 J. Cleveland,
 B. H. Crowley,
 F. Dosewell,
 L. W. Davis,
 J. D. Davies,
 M. M. Duffie,
 M. M. Erwin,
 J. P. Eagle,
 A. H. Giles

Mr J. M. Foster,
 L. S. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. G. Hart,
 M. E. Hawkins,
 M. Nixon,
 D. J. Hynds,
 H. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 R. Joyner,
 P. K. Lester,
 L. B. Mitchell,
 W. J. M. C. Clellan.

Mr B. M. C. Guire,
 A. J. Montgomery,
 X. J. Pindall,
 J. O. Preston,
 W. H. C. Reid,
 J. F. Smith,
 J. J. Sumpster,
 J. M. Thompson,
 J. D. W. Tiller,
 J. O. Venable,
 John C. Walker,
 H. J. Wheat,
 L. C. White,
 Joseph Wright,
 The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley,
 H. E. Beardsley,
 W. A. Beasley,
 C. E. Berry,
 Thos. Barrow,
 D. Bridenthal,
 Neill Brown,
 W. H. Cate,
 J. B. Chapline,
 J. D. Cunningham,
 W. Foreman,
 W. W. Hughey,

Mr J. M. Jacks,
 H. R. Johnson,
 J. E. Joslyn,
 R. Lee,
 A. J. Marsh,
 William Murphy,
 P. M. Cowen,
 Robert Polk,
 H. M. Purefoy,
 O. P. Richardson,
 J. C. Rollins,
 G. S. Scott,

Mr P. A. Spears,
 J. S. Stephenson,
 S. L. Strong,
 S. P. Sweepston,
 J. W. Thomason,
 L. L. Thompson,
 C. W. Tautersley,
 J. D. Wheeler,
 J. W. Williams.

May 18. 1874.So the bill was passed.

Mr B. W. Johnson moved,

That Mr. M. Erwin, a representative from Prairie County, be elected a Member of the State Board of Public Printing, vice Warwick, who is no longer a member of this House, by reason of his appointment Chancellor of the Separate Court of Chancery of Pulaski County.

The Speaker ruled the motion not in order. then,

On motion of Mr Pindall,

Ordered, That the office of W. J. Warwick, one of the members of the State Board of Public Printing, be declared vacant, the said Warwick having ceased to be a member of this House.

Mr Diller, at 4 o'clock and 10 minutes, P. M. moved that the House adjourn.

Which was not agreed to.

Mr Supter, moved that the House take a recess until 5 o'clock P. M.

Which was not agreed to.

Under the regular order of business.

Mr Lester introduced a bill (H. B. 21.) entitled, an Act to change the County line between the Counties of Lawrence and Randolph.

Which was read a first time.

By unanimous consent, under suspension of the rules.

The bill was read a second time by title. And

On motion of Mr Gilbreath,

Was referred to the Committee on Counties and County lines.

May 18, 1874.

On motion of Mr P. W. Johnson.

Ordered, That the House proceed to elect a Member of the House, to fill the vacancy existing in the State Board of Public Printing.

Nominations being in order.

Mr P. W. Johnson, nominated Mr M. M. Erwin.

Mr M. Guire, nominated Mr. A. J. Wheat.

Mr Montgomery, nominated Mr Charles Coffin.

Mr Hawkins, nominated Mr J. B. Burton.

Mr Erwin, nominated Mr J. P. Eagle.

By unanimous consent,

The nominations of Mr A. J. Wheat, Charles Coffin and J. P. Eagle, were withdrawn.

Mr Diller, renewed the nomination of Mr J. P. Eagle.

The House then proceeded to vote viva voce, for a Member of the State Board of Public Printing, when it appeared that the following named members voted for Mr J. B. Burton, viz:

Mr O. P. Anderson,	Mr J. P. Eagle,	Mr B. M. Guire.
D. D. Brock,	Mr E. Hawkins.	D. J. Montgomery.
Charles Coffin,	Mr. Nixon.	O. P. Richardson,
J. D. Conway.	A. D. King.	J. F. Smith,
F. Doswell.	C. C. Johnson,	J. J. Supter.
Mr. M. Duffie,	P. K. Lester.	The Speaker.

The following named members voted for Mr M. M. Erwin, viz:

Mr H. H. Arnold,	Mr L. D. Gilbreath,	Mr W. H. C. Reed,
W. B. Carter,	J. W. Gossett,	J. M. Thompson
David Chandler	D. G. Hart,	D. W. Thomason,
L. W. Davis	B. W. Johnson,	J. P. Venable,
J. M. Foster,	L. L. Johnson,	L. C. White, and

May 18, 1874.

Joseph Wright.

The following named members voted for Mr J. P. Eagle. Viz:

Mr J. B. Burton - J. Cleveland - B. H. Crowley - J. H. Davies - M. M. Erwin - J. M. Gist - R. Joyner - L. B. Mitchell - W. J. McCallan - X. J. Pindall - J. D. Preston - J. D. H. Villar - John C. Walker - H. J. Wheat.

Recapitulation of the First vote.

Mr J. B. Burton, received 18 votes.

Mr M. M. Erwin, received 16 votes.

Mr J. P. Eagle, received 15 votes.

Whole number of votes cast 49.

Necessary to a choice, 25.

No person received a majority of all the votes cast.

The House proceeded a second time to vote *viva voce* for a member of the State Board of Public Printing, when it appeared that the following named members voted for Mr J. B. Burton, Viz:

Mr O. P. Anderson,	Mr H. H. Files.	Mr P. H. Lester,
D. D. Crook,	J. M. Foster,	L. B. Mitchell,
Charles Coffin,	J. M. Gist,	W. J. McCallan,
J. D. Conway,	D. G. Hart,	D. J. Montgomery,
F. Doswell,	Mr. E. Hawkins,	O. P. Richardson,
J. H. Davies,	Mr. Nixon,	J. H. Smith,
Mr. M. Duffie,	H. D. King,	J. J. Sumpter,
J. P. Eagle,	C. C. Johnson,	The Speaker,

The following named members voted for Mr. M. M. Erwin. Viz:

Mr H. H. Arnold - H. H. Barton - J. B. Burton - W. B. Carter - David Chandler - J. Cleveland - B. H. Crowley - L. H. Davis - H. D. Gilbreath - J. H. Gossett - B. H. Johnson - L. L. Johnson - R. Joyner - J. D. Preston - H. H. C. Ried - J. M. Thompson - D. H. Thomason - J. P. Venable - John C. Walker - L. C. White - Joseph Wright.

May 18, 1874.

The following named members voted for Mr J. P. Eagle, viz:

Mr M. M. Erwin, B. McGuire, X. J. Pindall, J. D. W. Diller, A. J. Wheat.

Recapitulation of the Second Vote.

Mr J. B. Burton, received 24 votes.

Mr M. M. Erwin, received 21 votes.

Mr J. P. Eagle, received 5 votes.

Whole number of votes cast, 50.

Necessary to a choice 26.

No person received a majority of the whole number of votes cast.

By unanimous consent,

Mr Diller, withdrew the name of Mr J. P. Eagle.

The House proceeded a third time to vote *viva voce*, for a Member of the State Board of Public Printing, when it appeared that the following named members voted for Mr M. M. Erwin viz:

Mr H. H. Arnold,	Mr L. S. Gilbreath,	Mr J. D. Preston,
H. H. Barton,	J. M. Gist,	W. H. C. Reed,
J. B. Burton,	J. W. Gossett,	J. M. Thompson,
W. A. Carter,	D. G. Hart,	D. W. Thomason,
David Chandler,	A. D. King,	J. D. W. Diller,
J. Cleveland,	B. W. Johnson,	J. P. Venable,
B. H. Crowley,	L. L. Johnson,	John C. Walker,
L. W. Davis,	R. Joyner,	L. C. White,
J. P. Eagle,	X. J. Pindall,	Joseph Wright,

The following named members voted for Mr J. B. Burton, viz:

Mr O. P. Anderson, L. D. Brock, Charles Coffin, J. D. Conway, F. Doswell,
J. D. Davies, M. M. Duffie, M. M. Erwin, A. W. Giles, J. M. Foster, M. E. Hawkins,
Mr Nixon, C. C. Johnson, P. H. Lester, L. B. Mitchell, W. J. McClellan,
B. McGuire, D. J. Montgomery, O. P. Richardson, J. J. Sumpster, A. J. Wheat.

The Speaker.

May 18, 1874.Recapitulation of the Third Vote.

Mr M. M. Erwin, received 27 votes.

Mr J. B. Burton, received 23 votes.

Whole number of votes cast, 50

Necessary to a choice, 26.

Mr M. M. Erwin, having received a majority of the whole number of votes cast, was declared duly elected as a Member of the State Board of Public Printing.

Mr Wheat at 4 o'clock and 35 minutes P.M. moved that the House adjourn.

Which was not agreed to.

Under the regular order of business Mr Crowley introduced a bill (H. R. 22.) entitled, an Act to provide for the removal of the County seat of Greene County.

Which was read a first time.

On Motion of Mr Walker, under a suspension of the rules,

The bill was read a second time by title. And

By unanimous consent,

Was referred to the Committee on Counties and County lines.

A message from the Senate, by Mr Orrick their Secretary.

Senate Chamber.

Little Rock, May 18, 1874.

Mr Speaker,

I am instructed by the Senate, to inform your

May 18, 1874.

Honorable body of the passage by the Senate of Senate Joint Res. No 1. providing for the adjournment of the General Assembly on the 28th day of May 1874.

Also, of S. B. No 4. "An Act to change the time of holding the terms of the Supreme Court of the State of Arkansas"; and herewith respectfully transmit the same for your favorable consideration.

W. W. Orrick,
Secretary.

And then

On motion of Mr White,

The House at 4 o'clock

and 45 minutes P. M. adjourned.

Approved:

Chas C Rice Jr.

Clerk of the House.

James H. Berry
Speaker of the House.

House of Representatives.

Tuesday, May 19, 1874.

The House met at 10 o'clock, A. M.

The Roll being called, it appeared that the following named members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr A. W. Files.	Mr D. J. Montgomery.
H. H. Arnold,	J. M. Foster,	L. J. Pindall,
H. H. Barton,	L. D. Gilbreath,	J. D. Preston,
D. D. Brock,	J. M. Gist,	H. A. C. Reid,
J. B. Burton,	J. W. Gassett,	O. P. Richardson,
W. B. Carter,	D. G. Hart,	J. F. Smith,
David Chandler,	Mr E. Hawkins,	J. J. Sumpter,
J. B. Chapline,	Mr Hixon,	J. M. Thompson,
Charles Coffin,	D. J. Hynds,	W. H. Thomason,
J. D. Conway,	A. D. King,	L. L. Thompson,
B. H. Crowley,	B. W. Johnson,	J. D. W. Tiller,
J. Cleveland,	C. C. Johnson,	J. P. Venable,
T. Doswell,	L. L. Johnson,	John C. Walker,
L. W. Davis,	R. Joyner,	A. J. Wheat,
J. F. Davies,	P. M. Lester,	L. C. White,
Mr M. Duffie,	L. B. Mitchell,	Joseph Wright,
J. P. Eagle,	W. J. McClellan,	The Speaker,
Mr M. Erwin,	B. M. Guire,	

Prayer by the Chaplain pro tempore.

The Journal of Monday was read and approved.

The following additional Members appeared and took their seats within the bar of the House, viz:

From the Eighth District, Mr C. E. Berry.

From the Tenth District, Mr Neill Brown.

From the Fourteenth District, Mr A. E. Beardsley.

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Mr George S. Scott, a member elect from the Fifteenth District, appeared, and asked to be sworn in.

Objection being made, And

The question being put, Shall George S. Scott, be sworn in as a member of the House?

It was decided in the affirmative.

Whereupon,

George S. Scott, came forward, and having taken the oath of office, took his seat within the bar of the House.

Mr Pindall, rose to a privileged question, and presented the petition of James R. Perry, contesting the election of Stephen Wheeler, Auditor of State, setting forth the points on which he will contest the same, and the facts which he will prove, in support of such points, and praying for leave to introduce his proof, together with a notice to Stephen Wheeler, of such contest.

The question being put,

Shall the prayer of the petitioner be granted?

It was decided in the affirmative.

{	Yeas.	51.
	Nays.	6.
	Not Voting:	25.

Those who voted in the affirmative, are:

Mr O. P. Anderson,

H. H. Arnold,

H. H. Barton,

Neill Brown,

J. B. Burton,

David Chaudler,

J. B. Chapline,

Charles Coffin,

J. D. Conway,

J. Cleveland,

B. H. Crowley,

H. Doswell,

Mr L. L. Davis,

J. D. Davies,

Mr. Mr. Duffie,

J. P. Eagle,

Mr. Mr. Erwin,

H. W. Files,

J. W. Foster,

L. D. Gilbreath,

J. W. Gist,

J. W. Gossett,

D. G. Hart,

Mr. E. Hawkins,

Mr Mr. Nixon,

D. J. Hynds,

H. D. King,

B. W. Johnson,

C. C. Johnson,

R. Joyner,

P. K. Lester,

L. B. Mitchell,

H. D. McCallum,

B. M. Guire,

D. J. Montgomery,

X. J. Pindall,

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Mr J. D. Preston,	Mr J. M. Thompson.	Mr L. C. White.
W. H. C. Reed,	D. W. Thompson,	Joseph Wright.
O. P. Richardson,	L. L. Thompson,	The Speaker.
G. S. Scott,	J. D. W. Miller.	
J. F. Smith	J. P. Venable.	
J. J. Sumpter,	John C. Walker.	

Those who voted in the negative, are:

Mr A. E. Beardsley,	Mr D. D. Brock,	Mr L. L. Johnson.
C. E. Berry.	W. B. Carter.	A. J. Wheat.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr D. M. Jacks.	Mr H. M. Pinefory.
W. A. Beasley.	A. R. Johnson.	J. C. Rollins.
Thos. Barrow.	J. E. Joslyn.	T. H. Spears.
D. Bridenthal	A. Lee.	J. S. Stephenson.
W. H. Cate.	A. J. Marsh.	S. L. Strong.
J. F. Cunningham.	William Murphy.	S. P. Sweepston.
W. Foreman.	P. M. Bowen.	C. W. Tautersley.
W. W. Hughey.	Robert Poek.	D. D. Wheeler
		J. W. Williams

So leave was granted the petitioner to introduce his proof
And

The Speaker directed the Clerk to transmit the petition and certify the action of the House thereon, to the Senate.

The Speaker laid before the House, the following report of the Sergeant at Arms, which was read, viz:

House of Representatives.

Little Rock, Ark. May 19, 1874.

To the Hon House Representatives:

Gentlemen.

I have the honor to report to your honorable body, that in obedience to your instructions, I yesterday proceeded to put the Hall of the House of Reps. in proper condition for your occupancy; being courteously passed with my assistants to and from the Hall by Gen. R. D. Catterson

May 19. 1874.

The Hall will be ready for use to-morrow morning, with exception of Curtains and Carpets, which I do not yet feel myself authorized to procure. These can be placed in a few hours whenever you order them.

I am informed by Gen. Patterson, this morning, that by noon, all his men & property will be out of the State House grounds.

All of which is respectfully submitted.

J. B. Bond.

Serg't. at Arms.

On motion of Mr. Diller,

The Sergeant at Arms was instructed to procure the necessary Carpeting and Curtains for the Hall of the House.

By unanimous consent,

Mr. Wheat gave notice of the introduction of a bill to be entitled, an Act to repeal Sections 4 and 5. of an Act to define and punish offences against the public peace and tranquility, Approved July 23. 1868.

Under the rules,

Mr. White introduced a bill (H. R. 23) entitled, an Act regulating the fees of officers and witnesses in certain cases.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time. And

On motion of Mr. Sumpter,

Was referred to the Committee on the Judiciary.

On motion of Mr. Hynds,

The House proceeded to consider the Joint Resolution of the Senate, (S. Jt. Res. 1) a joint resolution providing for the adjournment of the General Assembly, since die on the 28. of May 1874.

Which was read a first time.

May 19, 1874.

By unanimous consent,
suspension of the rules

second time by title.

On motion of Mr Slaughter, under a

The joint resolution was read a

On motion of Mr Aird,

Ordered, that the joint resolution
lie on the table, subject to the call of the House.

Mr Walker, introduced a bill (H. R. 24.) entitled, an Act to
repeal paragraph 5. of Section 1. of Act No. 109; a bill for
an Act to provide for the payment of the current expenses of the
State of Arkansas, for two years, commencing on the first day
of July A. D. 1873. and ending on the thirtieth day of June,
1875. and for balance due from the State, Approved April 26, 1873.

Which was read a first time.

By unanimous consent,

On motion of Mr Crowley, under a suspen-
sion of the rules,

The bill was read a second time, by title.

And

On motion of Mr Preston,

Was referred to the Committee of Ways
and Means.

By unanimous consent,

Mr Gist, moved, that one thousand copies
of the bill of the Senate (S. 1.) entitled, an Act for a convention of
the people of the State of Arkansas, to frame a new Constitu-
tion, be printed for the use of the House.

Mr Slaughter, moved that the motion be amended by striking
out the words "One thousand," and inserting in lieu thereof, the
words "Five thousand."

Which was agreed to.

The motion as amended was then agreed to.

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Mr Nixon, introduced a bill (H. R. 25.) entitled, an Act to amend an Act, entitled, an Act, to amend an Act to establish the bounty of Barber, and for other purposes, Approved, February 27, 1873.

Which was read a first time.

By unanimous consent,

On motion of Mr Reid, under a suspension of the rules,

The bill was read a second time, by title.

Mr Gilbreath moved, that the bill be referred to the Committee on Counties and County lines.

Which was not agreed to.

By unanimous consent,

On motion of Mr

Reid, the rules were further suspended, And

The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	-	-	43.
Nays.	-	-	7
Not Voting:			32.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. P. Eagle.	Mr A. Joyner.
H. H. Arnold.	Mo. Mo Erwin.	L. B. Mitchell
H. H. Barton.	A. W. Giles.	William Murphy.
J. O. Burton.	L. D. Gilbreath.	W. J. M ^c Clellan.
W. P. Carter.	J. Mo. Gist.	B. M ^c Guire.
David Chaudler.	J. W. Gossett.	D. J. Montgomery.
Charles Coffin.	Mo. Nixon.	L. J. Pindall.
J. D. Conway.	J. D. Hynds.	J. O. Preston.
J. Cleveland	A. D. King	H. H. C. Reid.
L. W. Davis.	C. C. Johnson.	O. P. Richardson.
J. D. Davies.	L. L. Johnson.	J. D. Smith.

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Mr J. J. Slaughter,	Mr L. L. Thompson,	Mr John C. Walker,
J. M. Thompson,	J. D. W. Fuller,	A. J. Wheat,
D. W. Thomason,	J. P. Venable,	Joseph Wright,
		The Speaker.

Those who voted in the negative, are:

Mr A. E. Beardsley,	Mr F. Doswell,	Mr M. E. Hawkins,
C. E. Perry,	D. G. Hart,	P. K. Lester,
		G. S. Scott.

Those absent or not voting, are:

Mr J. A. Ansley,	Mr W. Foreman,	Mr H. M. Purefoy,
B. W. Beasley,	J. M. Foster,	J. C. Rollins,
Thos. Barrow,	W. W. Hughey,	P. H. Spears,
L. Bridenthal,	D. M. Jacks,	J. G. Stephenson,
L. D. Brock,	A. R. Johnson,	S. L. Strong,
Neill Brown,	B. W. Johnson,	S. P. Sweetston,
W. H. Cato,	J. E. Joslyn,	C. W. Tankersley,
J. B. Chapline,	R. Lee,	J. D. Wheeler,
B. H. Crowley,	A. J. Marsh,	L. C. White,
J. D. Cunningham,	P. M. Cowen,	J. W. Williams,
Mr. M. Duffie,	Robert Polk,	

So the bill was passed.

On motion of Mr White,

Leave of absence was extended to C. E. Perry, for six days.

By unanimous consent,

Mr Duffie from the Select Committee appointed to ascertain whether any Member was prevented from attending the Sessions of the House, on account of Military forces.

Submitted the following report, which was read, viz:

Mr Speaker,

From Committee the undersigned, who were required to ascertain and report whether any member or member

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of this House, are prevented from attending its sessions, by the military forces, beg leave respectfully to report. That after full investigation, we find that no member of this House is prevented from attending the sessions of this House by the military forces.

As to the other duties required of your Committee, they ask further time to report.

Respectfully Submitted.

{ Mr. Mc. Duffie.
Joseph Wright.
W. J. McCallan.

Mr Hawkins, introduced a bill (H. R. 26.) entitled, an Act declaring certain offices vacant, and authorizing the Governor to fill the same by appointment.

Which was read a first time.

By unanimous consent, under a suspension of the rules. The bill was read a second time by title. And

On motion of Mr Erwin,

Was referred to the Committee on the Judiciary.

Mr Wheat, introduced a bill, (H. R. 27.) entitled, an Act to change the boundary line between Jefferson County and Dorsey County.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title. And

On motion of Mr Reed,

Was referred to the Committee on Counties and County lines.

Mr Sumpter, introduced a bill (H. R. 28.) entitled an Act to repeal an Act, entitled an Act for the benefit of the Arkansas

May 19, 1874.

Institute for the blind. Approved, April 23, 1873.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title. And

On motion of Mr Ried,

Was referred to the Committee on the Penitentiary.

By unanimous consent

On motion of Mr Davis, the House proceeded to consider the bill of the House, (H. R. 16) entitled, an Act to change the name of Clayton County in this State, to that of Anthony.

Which was read a second time.

On motion of Mr Davis,

The bill was amended by striking out Section 2. of the bill and inserting in lieu thereof the following Section viz:

"Section 2. All proceeding and process in said County, shall hereafter proceed and be entitled in the name of Anthony."

And

On motion of Mr Davis,

Ordered, That the bill be engrossed and made Special order for a third reading for 11 o'clock, A.M. on the morrow.

Mr Montgomery, introduced a bill (H. R. 29) entitled, an Act to amend Section 9. of Chapter 169. of Gould's Digest, in relation to groceries and dram-shops.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title And

May 19, 1874.

On motion of Mr Duffie.

Was referred to the Committee of Ways and Means.

Mr McCallan, introduced a bill (N. R. 30.) entitled, an Act to regulate the payment of County taxes.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title. And

On motion of Mr Slaughter,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Aird, gave notice of the introduction of a bill to be entitled, an Act to amend the municipal Corporation laws of this State.

By unanimous consent

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (N. R. 7.) entitled, an Act to repeal an Act entitled, an Act to define the duties of the Clerk of Pulaski County, reported the same and recommended the following amendments thereto, viz:

That Section 1. be amended, by striking out the word "twenty" and inserting in lieu thereof, the word "ten".

That Section 3. be amended by inserting after the word "repeal", the words "And that this Act be in force from and after its passage."

The report of the Committee was adopted, and the amendments were accordingly agreed to.

Then

On motion of Mr Pindall,

Ordered, That the bill be engrossed and made special order for a third reading at 11 o'clock and 30 minutes A. M. on the morrow.

May 19. 1874.

By unanimous consent,

Mr List, gave notice of the introduction of a bill to be entitled, an Act to amend an Act, entitled an Act to provide for Clerks of Circuit Courts in certain counties, Approved April 17. 1873.

Then

On motion of Mr J. M. Thompson,

The House took a recess until 3 o'clock P.M.

After the Recess.

The House met at 3 o'clock P.M.

By unanimous consent,

On motion of Mr Pindall,

The House proceeded to consider the bill of the Senate (S. 4.) entitled, an Act to change the time of holding the terms of the Supreme Court, of the State of Arkansas.

Which was read a first time.

By unanimous consent,

On motion of Mr Pindall,

The rules were suspended, and the bill was read a second time by title.

Mr Brown moved that the bill be referred to the Committee on the Judiciary.

Which was not agreed to.

Then

On motion of Mr Erwin,

The rules were further suspended (two-thirds of the members present voting therefor.) and

The bill was read a third time, and placed upon its passage.

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The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas, - - -	50.
Nays, - - -	2.
Not voting:	30.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr H. W. Giles.	Mr D. McGuire.
H. H. Arnold.	J. M. Foster.	D. J. Montgomery.
H. H. Barton.	L. D. Gilbreath.	L. J. Pindall.
A. E. Beardsley.	J. M. Gist.	J. D. Preston.
J. B. Burton.	J. W. Gossett.	W. H. C. Reid.
W. B. Carter.	L. G. Hart.	O. P. Richardson.
David Chandler.	Mo. E. Hawkins.	J. D. Smith.
J. B. Chapline.	Mo. Nixon.	J. M. Thompson.
Charles Coffin.	D. J. Hynds.	D. W. Thomason.
J. D. Conway.	A. D. King.	L. L. Thompson.
J. Cleveland.	B. W. Johnson.	J. D. W. Diller.
B. H. Crowley.	C. C. Johnson.	J. P. Venable.
J. Doswell.	L. L. Johnson.	John C. Walker.
L. W. Davis.	R. Joyner.	A. J. Wheat.
Mo. Mo. Duffie.	P. H. Lester.	Joseph Wright.
J. P. Eagle.	L. B. Mitchell.	The Speaker.
Mo. Mo. Erwin.	W. J. McCallan.	

Those who voted in the negative, are:

Mr Neill Brown. G. S. Scott.

Those absent or not voting, are:

Mr J. H. Ansley.	Mr J. D. Davies.	Mr William Murphy.
W. H. Beasley.	W. Foreman.	P. McCorwen.
C. E. Berry.	W. W. Hughey.	Robert Polk.
Thos. Barrow.	D. McJack.	H. McPurfory.
D. Bridenthal.	A. R. Johnson.	J. C. Collins.
L. D. Brock.	J. E. Joslyn.	P. H. Spears.
W. H. Cate.	R. Lee.	J. S. Stephenson.
J. D. Cunningham.	A. J. Marsh.	E. L. Strong.

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Mr J. J. Slaughter, Mr C. W. Danksley, Mr J. W. Williams.
S. P. Swepton, J. D. Wheeler.

So the bill was passed.

Under the rules,

Mr Eist, introduced a bill (H. R. 31.) entitled,
an Act making an appropriation to pay the Contingent ex=
pense of the General Assembly, of the State of Arkansas.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr Coffin

Was referred to the Committee of Ways and Means.

Mr Foster, introduced a bill (H. R. 32.) entitled, an Act regula=
ting the time of holding the Circuit Court, in the County of Stone.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr Foster, Was referred to the Committee on
the Judiciary.

And then

On motion of Mr Scott, the House at 3 o'clock and 35 minutes
P. M. adjourned until 12 o'clock, M. on the morrow. And to meet in
the Hall of the House of Representatives, in the Capitol.

Approved:

Chas C Rice Jr
Clerk of the House.

Jaynes. St. Berry
Speaker of the House.

House of Representatives.

Wednesday, May 20, 1873.

The House met at 12 o'clock, M. in the Hall of the House of Representatives, at the Capitol.

The Roll being called, it appeared that the following named members were present, and answered to their names, viz:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr O. P. Richardson.
H. H. Barton.	L. D. Gilbreath.	G. S. Scott.
A. E. Beardsley.	J. M. Gist.	J. D. Smith.
D. D. Brock.	J. W. Gossett.	J. J. Slaughter.
Neill Brown.	D. G. Hart.	J. M. Thompson.
J. P. Burton.	Mr E. Hawkins.	D. W. Thomason.
H. B. Carter.	McNixon.	J. D. W. Diller.
David Chandler.	D. J. Hynds.	J. S. Venable.
Charles Coffin.	A. D. King.	John C. Walker.
J. D. Conway.	B. W. Johnson.	X. J. Pindall.
J. Cleveland.	C. C. Johnson.	J. D. Preston.
B. H. Crowley.	L. L. Johnson.	W. H. C. Reid.
F. Doswell.	A. Joyner.	J. D. Wheeler.
L. W. Davis.	P. H. Lester.	A. J. Wheat.
J. D. Davies.	L. B. Mitchell.	L. C. White.
Mr. Mr. Duffie.	W. J. McCallum.	Joseph Wright.
J. P. Eagle.	B. McQuire.	The Speaker.
Mr. Mr. Ewing.	D. J. Montgomery.	

Prayer by the Chaplain, pro tempore.

The Journal of Tuesday was read and approved.

The Speaker laid before the House the following communication from his Excellency the Governor, which was read, viz:

Executive Office,
State of Arkansas.
Little Rock, May 20, 1874.

Hon. J. N. Perry,
Speaker House Representatives.

May 20, 1874.

Sir.

Having heard in a definite and authentic manner, that there is displeasure on the part of the Members of the Legislature, on account of the address in this morning's Gazette, by Maj. Gen. Newton, in reference to the admission of certain members into the Legislature recently. I have to say to you that the address was issued without my knowledge or consent, and does not meet with my approbation, as whatever may be my own convictions on the subject, I recognize fully the right of each house under the Constitution & Laws to determine who are fit persons to be members thereof & I do not doubt for a moment that this right will be exercised by the present Legislature, in every way consistent with the best interests of the people, whose servants you are.

Respectfully yours.

Elisha Baxter,

Gov. of Arks.

A message from the Senate, by Mr Orrick, their Secretary.

Senate Chamber.

Little Rock, Ark, May 19, 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Senate Joint Resolution "No 2," appointing a Com. of 3, in conjunction with a like Com on the part of the House, to enquire into the action & conduct of the Senators and Representatives in Congress, of this State, in relation to the late conspiracy against the State Government.

Also, of Senate Bill No. 7, entitled, an Act directing the Auditor to draw his warrant for the payment for the legal advertisement done by the official newspapers of the State; and herewith respectfully transmit the same for your favorable consideration.

I am also instructed to inform you that the Senate have passed House Bill No. 14, entitled an Act providing for the removal of the County seat of Desha County. Also House Joint Resolution No. 3, appointing a joint Com. of six (6) to examine a report of what damages has been done the property belonging to the State of Arkansas, and herewith respectfully return the same.

W. W. Orrick, Secretary.

May 20, 1874.

A message from his excellency the Governor, by Maj. George F. Kirkwood, his private secretary; viz: (This message announced approval of bills originating in the Senate, and was subsequently sent to the Senate.)

On motion of Mr Beardsley, leave of absence was extended to Mr William Murphy, for 3 days on account of sickness.

The House proceeded under the order of business of Reports of Standing Committees.

When

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 32.) entitled, an Act to regulate the time of holding the Circuit Court in Stone County, reported the same and recommended its passage.

Whereupon,

The House proceeded to consider the bill of the House (H. R. 32.) entitled an act to regulate the time of holding the Circuit Court in Stone County.

Which was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - - -	50.
Nays. - - -	None.
Not voting:	32.

Those that voted in the affirmative, are:

Mr O. O. Anderson.	Mr B. A. Crowley.	Mr. J. W. Gossett.
A. H. Barton.	J. Doswell.	D. G. Hart.
A. E. Beardsley.	L. W. Davis.	Mr. E. Hawkins.
Neill Brown.	J. F. Davies.	Mr. Nixon.
J. B. Burlon.	Mr. M. Duffie.	D. J. Hynds.
W. O. Carter.	J. O. Eagle.	A. D. King.
David Chandler.	Mr. M. Erwin.	C. C. Johnson.
J. O. Chapline.	A. W. Files.	L. L. Johnson.
Charles Coffin.	J. M. Foster.	R. Joyner.
J. Conway.	L. D. Gilbreath.	P. K. Lester.
J. Cleveland.	J. M. Gist.	L. B. Mitchell.

May 20, 1874.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr W. W. Hughey.	Mr Robert Poek.
H. H. Arnold.	J. M. Jacks.	H. M. Purefoy.
W. A. Beasley.	A. J. Johnson.	J. C. Rollins.
C. E. Berry.	B. W. Johnson.	A. H. Spears.
Thos. Barrow.	J. E. Joslyn.	J. S. Stephenson.
D. Bredenthal.	A. Lee.	S. L. Strong.
D. D. Brock.	A. J. Marsh.	S. P. Sverpston.
W. A. Cate.	William Murphy.	L. L. Thompson.
J. F. Cunningham.	P. M. Cowan.	C. W. Daukessky.
W. Foreman.	B. McGuire.	J. F. Wheeler.
		J. W. Williams.

So the bill was passed.

Mr Pindall, also, from the same Committee, to whom was referred the bill of the House (H. R. 17.) entitled an Act to protect public and private levees, reported the same and recommended that Section (1.) One, be so amended as to strike out all the words after "felony," in the last line but one in said Section.

And that a Section be added to read, "that all laws in conflict with this Act are hereby repealed."

The report of the Committee was adopted. And

The amendments were accordingly agreed to. Then

On motion of Mr Pindall,

Ordered, that the bill be engrossed, and made special order for 11 o'clock and 30 minutes, A.M. on the morrow.

Mr Erwin from the Committee on Counties and County Lines, to whom was referred the bill of the House, (H. R. 21.) entitled an Act to change the County line between the Counties of Lawrence and Randolph.

Reported the same and recommended its passage.

May 20, 1874.

Mr Eagle, from the Committee on Education to whom was referred the bill of the House (H. R. 12.) entitled, an Act to prevent frauds in the disbursement of the public School funds, and for other purposes, reported the same and recommended that the bill be amended by inserting the following Sections, viz:

Section 8. That any trustee who shall fraudulently issue any School Warrant, shall be guilty of a misdemeanor, and upon conviction shall be subject to the penalties enumerated in Section 7 of this Act, and that Section 8. of the bill referred to them be numbered Section 9.

The report of the Committee was adopted.

The amendment was accordingly agreed to. And

On motion of Mr Eagle.

Ordered, that the bill be engrossed and made special order for a third reading, for 11 o'clock A. M. on the morrow.

Mr Euwin, from the Committee on Counties and County Lines to whom was referred the bill of the House (H. R. 22.) entitled an Act to provide for the removal of the County seat of Greene County, reported the same and recommended its passage.

Also, from the same Committee to whom was referred the bill of the House (H. R. 19.) entitled an Act to remove the County seat of the County of St. Francis. reported the same and recommended its passage.

Mr Ried, from the Committee on Ways and Means, to whom was referred the bill of the House (H. R. 31.) entitled an Act making an appropriation to pay the contingent expenses of the General Assembly of the State of Arkansas, reported the same and recommended its passage.

By unanimous consent;

On motion of Mr Ried, the House proceeded to consider the bill of the House (H. R. 31.) entitled, an Act making an appropriation to pay the contingent expenses of the General Assembly of the State of Arkansas.

Which was read a third time and placed upon its passage.

May 20. 1874.

The question being put, Shall the bill pass?

It was decided in the affirmative:

Yeas.	- - -	55.
Nays.	- - -	None.
Not Voting:		27.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr J. O. Eagle,	Mr H. J. McClellan.
A. H. Arnold,	Mr. Mr. Erwin,	B. McGuire,
H. H. Barton,	At. W. Files,	D. J. Montgomery,
A. E. Beardsley,	J. Mr. Foster,	X. J. Pindall,
L. D. Brock,	L. D. Gilbreath,	J. D. Preston,
Neill Brown,	J. Mr. Gist,	W. H. C. Reed,
J. O. Burton,	J. W. Gossett,	C. P. Richardson,
W. P. Carter,	D. G. Hart,	G. S. Scott,
David Chandler,	Mr. E. Hawkins,	J. T. Smith,
J. P. Chapline,	Mr. Nixon,	J. J. Supter,
Charles Coffin,	D. J. Hynds,	J. Mr. Thompson,
J. D. Conway,	A. D. King,	J. W. Thomason,
J. Cleveland,	B. W. Johnson,	J. W. Tiller,
B. H. Crowley,	C. C. Johnson,	J. P. Venable,
F. Doswell,	L. L. Johnson,	John C. Walker,
L. W. Davis,	R. Joyner,	L. C. White,
J. D. Davies,	P. H. Lester,	Joseph Wright,
Mr. Mr. Duffie,	L. B. Mitchell,	A. J. Wheat,
		The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley,	Mr D. M. Jacks,	Mr J. C. Rollins,
W. A. Beasley,	A. R. Johnson,	P. H. Spears,
C. E. Berry,	J. E. Joslyn,	J. S. Stephenson,
Thos. Barrow,	R. Lee,	S. L. Strong,
D. Bridenthal,	A. J. Marsh,	S. P. Sweepston,
W. A. Cate,	William Murphy,	L. L. Thompson,
J. D. Cunningham,	P. M. Corven,	C. W. Tankersley,
W. Foreman,	Robert Polk,	J. T. Wheeler,
W. W. Hughey,	H. M. Purefoy,	J. W. Williams,

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So the bill was passed.

By unanimous consent,

Mr J. M. Thompson, moved that the House pass to the consideration of the bill of the House, (H. R. 19.) entitled, an Act to remove the County seat of St. Francis County.

Which was not agreed to.

Mr Reed, from the Committee of Ways and Means, to whom was referred the bill of the House (H. R. 11.) entitled, an Act for the relief of the tax-payers of Ashley and Drew Counties, reported the same, and recommended that the bill be not passed.

Also, from the same Committee, to whom was referred the bill of the House (H. R. 24.) entitled, an Act to repeal paragraph 5. of Section 1 of an Act, No 109; a bill for an act to provide for the payment of the current expenses of the State of Arkansas, for two years, commencing on the first day of July A. D. 1873, and ending on the thirtieth day of June 1875. and for balance due from the State; Approved, April 26. 1873.

Whereupon,

By unanimous consent,

The bill last reported was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas. - - -	56.
	Nays. - - -	None
	Not voting:	26.

Those who voted in the affirmative, are:

Mr C. P. Anderson,	Mr W. B. Carter,	Mr T. Doswell,
A. H. Arnold,	David Chandler,	L. W. Davis,
A. H. Barton,	J. B. Chapline,	J. D. Davies,
A. E. Beardsley,	Charles Coffin,	Mr. W. Duffie,
D. D. Brock,	J. D. Conway,	J. P. Eagle,
Neill Brown,	J. Cleveland,	Mr. W. Erwin,
J. B. Burton,	B. H. Crowley,	A. W. Giles,

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Mr J. M. Foster.
 L. D. Gilbreath,
 J. M. Gist.
 J. W. Gessett,
 D. G. Hart,
 Mr. E. Hawkins.
 Mr. Nixon.
 D. J. Hynds.
 A. D. King.
 B. W. Johnson
 - - - - -
 - - - - -

Mr C. C. Johnson,
 L. L. Johnson.
 R. Joyner,
 P. K. Lester,
 L. D. Mitchell
 William Murphy,
 W. J. McCallan.
 B. McGuire.
 D. J. Montgomery.
 X. J. Pindall,
 D. D. Preston.
 W. H. C. Reid.

Mr O. P. Richardson,
 G. S. Scott.
 J. F. Smith.
 J. J. Sumpter.
 J. M. Thompson.
 D. W. Thomason,
 J. D. W. Tiller.
 J. P. Venable.
 John C. Walker.
 A. J. Wheat.
 L. C. White.
 Joseph Knight.
 The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.
 W. A. Beasley,
 C. E. Berry,
 Thos. Barrow,
 D. Bridenthal.
 W. A. Cate.
 J. D. Cunningham.
 W. Foreman.
 W. W. Hughey.

Mr D. M. Jacks.
 A. R. Johnson,
 J. E. Joslyn.
 R. Lee.
 A. J. Marsh.
 P. M. Cowen.
 Robert Polk,
 H. Mc. Purfoy.
 J. C. Rollins.

Mr O. H. Spears.
 J. S. Stephenson.
 S. L. Strong.
 S. P. Swepton
 L. L. Thompson.
 C. W. Tankersley.
 J. F. Wheeler.
 J. W. Williams.

So the bill was passed.

By unanimous consent.

On motion of Mr J. M. Thompson.

The House proceeded to consider the bill of the House (H. R. 19.)
 entitled, an Act to remove the County seat of the County of St. Francis

Which was read a third time, and placed upon its passage.
 After discussion,

Mr Brown, moved the previous question.

The question being put, Shall the main question be now put?

It was decided in the negative.

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So the House refused to order the main question.

The question being, Shall the bill pass?

Before the question was put, By unanimous consent,

On motion of Mr Pindall,

The bill was recommitted to the Committee on Counties and County Lines.

By unanimous consent,

On motion of Mr King.

The Clerk was instructed to procure a sufficient number of the Acts of the previous Sessions of the Legislature, for the use of the members of the House.

By unanimous consent,

Mr Brown, gave notice of the introduction of a bill to be entitled, an Act repealing the law requiring the Collectors of this State, to collect One Hundred Dollars, in Green Backs, from Saloon Keepers and Groceries, and that the same may be paid in State script.

By unanimous consent,

Mr Wheat, gave notice of the introduction of a bill to be entitled, an Act to provide for the payment of the troops in Lincoln and Jefferson Counties, enlisted recently in defence of the State Government.

By unanimous consent,

On motion of Mr Davis,

The Speaker was authorized to appoint a Committee of three, to call on the Commissioner of public lands, and investigate the proceedings of said Commissioner, since the meeting of the last legislature; and report the condition of said Commissioner's Office, to this House, at an early day.

The Speaker subsequently appointed as such Committee

Mr L. W. Davis, L. C. White and A. W. Giles.

May 20. 1874.

By unanimous consent,

Mr Erwin, introduced a bill (H. R. 33.) entitled, an Act to remove the County seat of Prairie County from Devall's Bluff, to Des Arc.

Which was read a first time.

By unanimous consent, Under a suspension of the rules.

The bill was read a second time by title. And ^{On motion} of Mr Gilbreath, Was referred to the Committee on Counties and County Lines.

By unanimous consent,

Mr Erwin, presented a petition from one thousand and fifty citizens of Prairie County, praying for the removal of the County seat of Prairie County, from Devall's Bluff to Des Arc.

Which

Was referred to the Committee on Counties and County Lines.

By unanimous consent, Mr Sumpter introduced a bill (H. R. 34.) entitled, an Act to amend Sections 4 and 6. of an Act entitled, an Act to organize and establish the County of Garland, and for other purposes.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

Mr Gilbreath moved, that the bill be engrossed, and made special order for a third reading, for 11 o'clock A. M. on the morrow.

Which was not agreed to.

Then

On motion of Mr Sumpter.

The bill was referred to the Committee on Counties and County Lines.

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By unanimous consent,

Mr Duffie, introduced a bill (H. R. 35) entitled,
an Act to empower aliens to acquire, hold, convey, and devise real estate.

Which was read a first time.

By unanimous consent, Under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr Dellar,
Was referred to the Committee on the
Judiciary.

Then

On motion of Mr B. W. Johnson,
The House took a recess until
4 o'clock P.M.

After the Recess.

The House met at 4 o'clock P.M.

The House passed to the order of business of Motions, Resolutions and Notices.

When

Mr Davis, moved that the Clerk be permitted to employ a
Pages to be in attendance at the Clerk's table at all hours required.

Which was not agreed to.

By unanimous consent,

On motion of Mr Sumpster, The House proceeded to consider the joint resolution of the Senate (S. Jt. Res. 2.)
a joint resolution providing for the appointment of a joint Committee
to inquire into the Conduct of Senators and Representatives in Congress,
from Arkansas, in relation to the late conspiracy against the legal
State Government.

Which was read a first time.

By unanimous consent, Under a

May 20, 1874.

Suspension of the rules.

The joint resolution was read a second time.

By unanimous consent,

On motion of Mr Mc^c Guire.

The rules were further suspended.

And

The joint resolution was read a third time and placed upon its passage.

The question being put. Shall the joint resolution pass?

It was decided in the affirmative.

Yeas, -	45.
Nays, -	None.
Not voting:	37.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr Mc. Mc. Erwin.	Mr L. B. Mitchell
H. H. Arnold.	A. W. Files.	W. J. McCallan
H. H. Barton.	J. Mc. Foster.	B. McGuire.
A. E. Beardsley.	L. D. Gilbreath.	D. J. Montgomery.
J. B. Burton.	J. Mc. Gist.	X. J. Pindall.
H. B. Carter.	J. W. Gossett.	J. T. Preston.
David Chaudler.	D. G. Hart.	O. P. Richardson.
Charles Coffin.	Mr. E. Hawkins.	J. F. Smith.
J. Cleveland.	Mr. Nixon.	J. J. Sumpter.
B. H. Crowley.	D. J. Hynds.	J. J. Thompson.
F. Doswell.	A. D. King.	D. W. Thomason.
L. W. Davis.	C. C. Johnson.	J. D. W. Diller.
J. D. Davies.	L. L. Johnson.	J. P. Venable.
Mr. Mc. Duffie.	R. Joyner.	Joseph Wright.
J. P. Eagle.	R. K. Lester.	The Speaker.

None voting in the negative.

Those absent or not voting, are:





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Mr J. H. Ansley,
 W. H. Beasley,
 C. E. Berry,
 Thos. Darrow,
 D. Bridenthal,
 D. D. Brock,
 Neill Brown,
 W. H. Cate,
 J. B. Chaplin,
 J. D. Conway,
 J. J. Cunningham,
 W. Foreman.

Mr W. H. Hughey,
 D. M. Jacks,
 A. R. Johnson,
 B. W. Johnson,
 J. E. Joslyn,
 A. Lee,
 A. J. Marsh,
 William Murphy,
 P. M. Bowen,
 Robert Polk,
 H. M. Purefoy,
 W. H. C. Reed.

Mr J. C. Collins,
 H. S. Scott,
 P. H. Spears,
 J. S. Stephenson,
 S. L. Strong,
 S. P. Sweepeston,
 L. L. Thompson,
 C. W. Tankersley,
 John C. Walker,
 J. F. Wheeler,
 A. J. Wheat,
 L. C. White,
 J. W. Williams.

So the joint resolution was passed.

The Speaker, appointed as such Committee on the part of the House,

Mr J. D. Preston, F. Doswell and J. J. Sumpter.

Mr Hynds, moved that the House pass to the consideration of the joint resolution of the Senate (S. Jt. Res. 1.) a joint resolution providing for the adjournment of the General Assembly, since die, on the 28th of May, 1874.

Which was not agreed to.

By unanimous consent,

Mr Duffie, submitted the following concurrent resolution (H. Con. Res. 2.) which was read a first time.

Resolved, (the Senate concurring.)

That the House of Representatives and Senate meet in joint Session, in the Hall of this House, on Friday, the 22nd instant, to elect three (3.) Election Supervisors, to be known as the State Board of Supervisors, under the Constitutional Convention Act, Approved, May 18th 1874.

By unanimous consent, Under a suspension of the rules,

The concurrent resolution was read a second time.

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On motion of Mr Dillar, The concurrent resolution was amended by striking out the words "Friday the 22^d inst." and inserting in lieu thereof, "Thursday the 21st inst. at 11 o'clock A. M."

Then,

On motion of Mr Preston,

Ordered, that the concurrent resolution be engrossed for a third reading.

By unanimous consent,

Mr Mitchell introduced a joint resolution (H. Jt. Res. 5.) a joint resolution providing for the appointment of a joint committee, to ascertain who was in charge and responsible for the sinking of the Steamer "Hallie".

Which was read a first time.

By unanimous consent, Under a suspension of the rules,

The joint resolution was read a second time.

By unanimous consent,

On motion of Mr Supter, the rules were further suspended,

And

The joint resolution was read a third time, and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

Yeas. - - -	48.
Nays. - - -	None.
Not Voting:	34.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr W. B. Carter,	Mr B. H. Crowley,
H. H. Arnold,	David Chandler,	D. Dowell,
H. H. Barton,	Charles Coffin,	L. W. Davis,
A. E. Beardsley,	J. D. Conway,	J. H. Davies,
J. B. Burton,	J. Cleveland,	Mo. Mo. Duffie,

May 20, 1874.

Mr J. P. Eagle.	Mr L. L. Johnson.	Mr J. T. Smith.
Mr. M. Erwin.	R. Joyner.	J. J. Sumpter.
A. W. Files.	P. K. Lester.	J. M. Thompson.
J. W. Gossett	L. B. Mitchell.	J. W. Thompson.
D. G. Hart	W. I. McClellan.	J. D. W. Diller.
Mr. E. Hawkins.	B. McQuire.	J. P. Venable
Mr. Nixon.	D. J. Montgomery	John C. Walker.
D. J. Hynds.	X. J. Pindall.	L. C. White.
A. D. King.	J. T. Preston.	Joseph Wright
B. W. Johnson.	O. P. Richardson.	J. M. Eist.
C. C. Johnson	E. S. Scott.	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr L. D. Gilbreath.	Mr H. A. C. Reid.
W. A. Deasley.	W. W. Hughey.	J. C. Rollins.
C. E. Berry.	D. M. Jacobs.	A. H. Spears.
Thos. Barrow.	H. R. Johnson.	J. S. Stephenson.
D. Pridenthal.	J. E. Joslyn.	S. L. Strong.
Veill Brown.	R. Lee.	S. P. Swepton.
W. H. Cate.	A. J. Marsh.	L. L. Thompson.
J. B. Chaplice.	William Murphy.	C. W. VanKersley.
J. D. Cunningham.	P. McCowen.	J. D. Wheeler.
W. Foreman.	Robert Polk.	A. J. Wheat.
J. M. Foster.	H. M. Purefoy.	J. W. Williams

So the Joint Resolution was passed

On Motion of Mr Duffie,

Ordered, That the Secretary of State be requested to furnish each member of this House, with a copy of "Gault's" Digest of the statute laws of the State.

Under the rule,

Mr B. W. Johnson from the Committee on Enrolled Bills, reported as correctly enrolled, the bill of the House (H. R. 8.) entitled, an Act to suspend the sale of personal property for the non-payment of the taxes due thereon, for the years 1872 and 1873.

Also, the bill of the House (H. R. 5.) entitled an Act to an =

May 20, 1874.

Authorize the Auditor of State to draw his warrant on the Treasurer of State for the funds appropriated, for School purposes.

Under the rule,

Mr Crowley, from the Committee on Engrossed Bills reported as correctly engrossed, the bill of the House (H. R. 7) entitled an Act to repeal an Act, entitled an Act, to define the duties of the Clerk of Polaski County.

Also, the bill of the House (H. R. 16.) entitled an Act to change the name of Clayton County in this State, to that of Anthony.

Under the order of unfinished business,

The House proceeded to consider the special order set for 11 o'clock A. M. being the consideration of the bill of the House (H. R. 16.) entitled an Act to change the name of Clayton County in this State to that of Anthony.

Which was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	50
	Nays	3.
	Not voting:	29.

Those who voted in the affirmative, are:

Mr O. O. Anderson,	Mr L. W. Davis,	Mr M. Nixon.
H. H. Arnold,	J. H. Davies,	D. J. Hynds,
H. H. Barton,	Mo. Mo. Duffie,	A. D. King,
D. D. Brock,	J. P. Eagle,	B. W. Johnson,
J. P. Burton,	Mo. Mo. Erwin,	C. C. Johnson,
W. B. Carter,	A. W. Files,	L. L. Johnson,
David Chandler,	J. Mo. Foster,	R. Fryner,
Charles Coffin,	L. D. Gilbreath,	P. M. Lester,
J. D. Conway,	J. Mo. Gist,	L. B. Mitchell,
J. Cleveland,	J. W. Gossett,	W. J. M. Clellan,
B. H. Crowley,	D. G. Hart,	B. M. Guire,
J. D. Dinswell,	Mo. E. Hawkins,	D. J. Montgomery,

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Mr X. J. Pindall,
J. D. Preston,
W. H. C. Reid,
O. P. Richardson,
J. D. Smith,

Mr J. J. Sumpter,
J. M. Thompson,
D. W. Thomasons,
J. D. W. Diller,
J. P. Venable.

Mr John C. Walker,
A. J. Wheat,
Joseph Wright,
The Speaker.

Those who voted in the negative, are:

Mr A. E. Beardsley, Mr G. S. Scott, Mr L. C. White.

Those absent or not voting, are:

Mr J. A. Ansley,
W. A. Beasley,
C. E. Berry,
Thos. Barrow,
D. Bridenthal,
Neill Brown,
W. H. Cato,
J. B. Chapline,
J. D. Cunningham,
W. Foreman

Mr W. W. Hughey,
D. M. Jacks,
A. J. Johnson,
J. E. Joslyn,
A. Lee,
H. J. Marsh,
William Murphy,
P. McCowen,
Robert Polk,
H. M. Purefoy.

Mr J. C. Rollins,
P. H. Spears,
J. S. Stephenson,
S. L. Strong,
S. P. Sweepston,
L. L. Thompson,
C. W. Dankersley,
J. D. Wheeler,
J. W. Williams.

So the bill was passed.

On motion of Mr White,

The Speaker was requested to instruct the Pages now employed, that it is their duty to be in attendance at all proper hours, and subject to the orders of the officers of the House; and that the Speaker be authorized to discharge any Page who fails to attend promptly to his duty.

Under the order of unfinished business,

The House proceeded to consider the special order set for 11 o'clock and 30 minutes A. M. being the consideration of the bill of the House (H. R. 7.) entitled, an Act to repeal an Act entitled, an Act to define the duties of the clerk of Pulaski County.

Which was read a third time and placed upon its passage.

May 20, 1874.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - - 52
Nays. - - 1
Not Voting: 29.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr Mo. Mc. Erwin.	Mr H. J. Mc. Bellaw.
H. H. Arnold.	A. W. Files.	B. Mc. Guire.
H. H. Barton.	J. Mc. Foster.	D. J. Montgomery.
A. E. Beardsley.	L. D. Gilbreath.	X. J. Pindall.
D. D. Brock.	J. Mc. Gist.	J. D. Preston.
J. B. Burton.	J. W. Gossett.	W. H. C. Ried.
W. D. Carter.	D. H. Hart.	O. P. Richardson.
David Chaudler.	Mo. E. Hawkins.	J. D. Smith.
Charles Coffin.	Mo. Nixon.	J. J. Sumpter.
J. D. Conway.	D. J. Hynds.	J. Mc. Thompson.
J. Cleveland.	A. D. King.	T. H. Thomson.
B. H. Crowley.	B. W. Johnson.	J. D. W. Diller.
F. Doswell.	C. C. Johnson.	J. P. Venable.
L. W. Davis.	L. L. Johnson.	John C. Walker.
J. D. Davies.	R. Joyner.	A. J. Wheat.
Mo. Mo. Duffie.	R. H. Lester.	L. C. White.
J. P. Eagle.	L. B. Mitchell.	Joseph Wright.
		The Speaker.

Voting in the negative: Mr G. S. Scott.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr W. Foreman.	Mr Robert Polk.
W. H. Beasley.	W. W. Hughey.	H. M. Purefoy.
C. E. Perry.	D. Mo. Jacks.	J. C. Rollins.
Thos. Barrow.	A. B. Johnson.	P. H. Spears.
D. Bidenthal.	J. E. Joslyn.	J. S. Stephenson.
Neill Brown.	R. Lee.	S. L. Strong.
W. H. Cate.	A. J. Marsh.	S. P. Swepton.
J. B. Chapline.	William Murphy.	L. L. Thompson.
J. D. Cunningham.	P. Mc. Cowan.	C. H. Dankersley.

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Mr J. H. Wheeler. Mr J. W. Williams.

So the bill was passed.

By unanimous consent,

Mr Davis introduced a bill (H. R. 36.) entitled, an Act to provide for the re-assessment of the real estate of the Counties of Pope and Jefferson.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

On Motion of Mr Scott,

The bill was amended by striking out the words "Jefferson and Pope Counties." wherever they occur in the bill, and inserting in lieu thereof, the words "several Counties of the State."

Then,

On motion of Mr Wheat,

The bill was referred to the Committee on the Judiciary.

By unanimous consent,

On motion of Mr Dorton, Leave of absence was granted Mr L. L. Thompson, for five days.

By unanimous consent,

Mr Joyner, introduced a bill (H. R. 37.) entitled, an Act to repeal so much of an Act to authorize certain Counties to fund their outstanding indebtedness, Approved, April 29, 1873. as relates to the County of Coinsett.

Which was read a first time.

By unanimous consent, Under a suspension of the rules,

The bill was read a second time by title.

Mr Joyner, moved that the rules be further suspended, and that the bill be read a third time.

Which was not agreed to (two-thirds of the members present not voting therefor)

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By unanimous consent,

Mr Erwin, from the Committee on Counties and County lines, to whom was re-committed the bill of the House (H. R. 19.) entitled, an Act to remove the County seat of the County of St. Francis, reported the same, and recommended a Substitute therefor, of similar title.

The report of the Committee was adopted. The substitute was accordingly adopted, in lieu of the original bill.

By unanimous consent,

The Substitute bill was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

{	Yeas, - - -	51.
	Nays, - - -	None.
	Not voting:	31.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr H. J. McCallan,
H. H. Arnold,	A. W. Files,	B. McGuire,
H. A. Barton,	J. M. Foster,	D. J. Montgomery,
A. E. Beardsley,	L. D. Gilbreath,	X. J. Pindall,
D. D. Brock,	J. M. Gist,	J. D. Preston,
J. B. Burton,	J. W. Gossett,	W. H. C. Reed,
W. B. Carter,	D. G. Hart,	O. P. Richardson,
David Chaudler,	Mr E. Hawkins,	G. S. Scott,
Charles Coffin,	Mr Hixon,	J. D. Smith,
J. D. Conway,	D. J. Hynds,	J. J. Sumpster,
J. Cleveland,	A. D. King,	J. M. Thompson,
B. H. Crowley,	B. W. Johnson,	D. W. Thomson,
F. Doswell,	C. C. Johnson,	J. D. W. Miller,
L. W. Davis,	L. L. Johnson,	J. P. Venable,
J. D. Davies,	R. Joyner,	John C. Walker,
Mr M. Duffie,	P. M. Lester,	A. J. Wheat,
J. P. Eagle,	L. B. Mitchell,	L. C. White,
		Joseph Knight,
		The Speaker,

May 20. 1874.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr W. W. Hughey.	Mr J. C. Rollins.
W. A. Beasley.	J. M. Jacobs.	P. H. Spears.
C. E. Berry.	A. R. Johnson.	J. S. Stephenson.
Thos. Barrow.	J. E. Joslyn.	S. L. Strong.
D. Briedenthal.	A. Lee.	S. P. Sweptown.
Neill Brown.	A. J. Marsh.	L. L. Thompson.
W. H. Cate.	William Murphy.	C. W. Danksley.
J. B. Chaplin.	T. M. Cowen.	J. F. Wheeler.
J. F. Cunningham.	Robert Polk.	J. W. Williams.
W. Foreman.	H. M. Pinfey.	

So the Bill was Passed.

By unanimous consent,

On motion of Mr Wheat, Leave of absence was granted Mr Neill Brown, for two days.

Under the rule,

Mr Crowley from the Committee on Engrossed Bills, reported as correctly engrossed the Concurrent resolution of the House (H. Con. Res. 2.) a Concurrent resolution providing for a joint Session of the General Assembly, for the purpose of electing a State Board of Supervisors.

Whereupon,

By unanimous consent, under a suspension of the rules,

The Concurrent resolution just reported was read a third time and placed upon its passage.

Before the question was put.

A Message from the Senate, by Senator Deavers:

Mr Speaker,

I am instructed by the Senate to notify your honorable body of the readiness of the Senate to meet the House of Representatives in joint Session, for the purpose of balloting for a State Board of Supervisors.

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The House having under consideration the concurrent resolution of the House (H. Con. Res. 2.) a concurrent resolution providing for a joint-session of the General Assembly, for the purpose of electing a State Board of Supervisors.

And

The question being put, Shall the concurrent resolution pass?

It was decided in the affirmative.

{	Yeas. - - -	53.
	Nays - - -	None.
	Not Voting:	29.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr A. H. Files.	Mr B. McGuire.
A. H. Arnold.	J. M. Foster.	D. J. Montgomery.
H. H. Barton.	L. D. Gilbreath.	X. J. Pindall.
A. E. Beardsley.	J. M. Gist.	J. D. Preston.
D. D. Brock.	J. W. Gossett.	W. H. C. Ried.
J. B. Burton.	L. G. Hart.	O. P. Richardson.
W. B. Carter.	Mr. E. Hawkins.	G. S. Scott.
David Chandler.	Mr. Hixon.	J. T. Smith.
J. D. Conway.	D. M. Jacks.	J. J. Sumpter.
J. Cleveland.	A. D. King.	J. M. Thompson.
B. H. Crowley.	B. H. Johnson.	D. W. Thomason.
F. Doswell.	C. C. Johnson.	J. D. W. Viller.
L. W. Davis.	L. L. Johnson.	J. P. Venable.
J. T. Davies.	R. Joyner.	John C. Walker.
Mr. M. Duffie.	P. M. Lester.	A. J. Wheat.
J. P. Eagle.	L. B. Mitchell.	L. C. White.
Mr. M. Erwin.	W. J. McClellan.	Joseph Wright.
		The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr Neill Brown.	Mr W. Foreman.
H. A. Beasley.	W. H. Cate.	W. H. Hughey.
C. E. Berry.	J. B. Chaplin.	D. J. Hynds.
Thos. Barrow.	Charles Coffin.	A. R. Johnson.
D. Bridenthal.	J. F. Cunningham.	J. E. Joslyn.

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 Mr J. H. Williams.

Mr A. Lee.

Mr A. H. Spears.

A. J. Marsh.

J. S. Stephenson.

William Murphy.

S. L. Strong.

P. McCowan.

S. P. Sweetston.

Robert Poole.

L. L. Thompson.

H. M. Aurefoy.

C. W. Dankersky.

J. C. Collins.

J. J. Wheeler.

Delell

So the Concurrent Resolution was passed.

Then

On motion of Mr Sumpster,

The vote just taken was reconsidered,

And

By unanimous consent,

On motion of Mr Sumpster,

Ordered, That

the concurrent resolution lie on the table.

By unanimous consent,

Mr Duffie, introduced a bill (H. R. 38.)
 entitled, an Act of pardon and amnesty.

Which was read a first time.

Mr Duffie, moved that the rules be suspended, and that the bill be read a second time.

Which was not agreed to, (two-thirds of the members present not voting therefor.)

On motion of Mr Sumpster,

The Speaker was authorized to appoint a select Committee of three, to notify the Senate of the readiness of the House to receive the Senate in Joint Session, for the purpose of balloting for a State Board of Supervisors.

The Speaker, appointed as such Committee, Mr J. J. Sumpster, C. C. Johnson and John C. Walker.

By unanimous consent,

Mr Cleveland, introduced a bill (H. R. 39.)

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titled, an Act to make Railroad Companies responsible for all stock killed or damaged by being run over or knocked off the railroad by Engineers of the trains.

Which was read a first time.

By unanimous consent, Under a suspension of the rules,

The bill was read a second time.

And

On motion of Mr Aird,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Burton introduced a bill (H. R. 40.) entitled an Act to establish supervision of Insurance Companies by the Secretary of State.

Pending the first reading of the bill,
On motion of Mr Sumpter,

The further reading of the bill was dispensed with. And

On motion of Mr Beardsley,

The House took a recess for five minutes in order that the Hall of the House of Representatives might be prepared for the reception of the Senate.

After the Recess.

The House being called to order.

Joint Session of the two Houses of the General Assembly.

The Senate preceded by their officers then appeared within the bar of the House and were seated, the Lieutenant Governor in the chair.

By direction of the Lieutenant Governor,

The roll of the Senate was called by the Secretary of the Senate, and the roll of the

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House of Representatives by the Clerk of the House, when it appeared that there was a quorum of both Houses in the Convention.

The Lieutenant Governor announced that the two House of the General Assembly, had met in joint session, for the purpose of balloting for three members of the State board of Supervisors.

Nominations being in order.

Senator Askew: Nominated Dudley E. Jones.

Representative C. C. Johnson, nominated H. King White.

Representative Chapline, nominated J. P. Eagle.

Representative Davies, nominated R. S. Yerkes.

No further nominations being made, The Convention proceeded under an Act of the present session of the General Assembly, entitled, an Act providing for a Convention of the people of the State of Arkansas, to frame a new Constitution, to vote *viva voce* for one person as a member of the State Board of Supervisors, when it appeared that the following named Senators voted for Dudley E. Jones. *Viz:*

Senator Askew, Beldin, Brown, Bunn, Duragin, Duke, Frierson, Hanks, Jones, Lovejoy, M^c Cabe, M^c Chesney, Pollard, Ratcliffe, Sawyer, Scott, White.

Senator Beavers, voted for R. S. Yerkes.

The following named Representatives voted for Dudley E. Jones.

Mr O. P. Anderson, A. H. Arnold, A. H. Barton, D. D. Brock, J. B. Burton, H. B. Carter, David Chaudler, Charles Coffin, J. D. Conway, J. Cleveland, B. H. Crowley, F. Dossivell, L. W. Davis, J. F. Davies, M. M. Duffie, J. P. Eagle, M. M. Erwin, A. W. Files, J. M. Foster, L. D. Gilbreath, J. M. Gist, J. W. Gossett, D. H. Hart, M. E. Hawkins, M. Nixon, D. J. Hynds, A. D. King, B. W. Johnson, L. L. Johnson, R. Joyner, P. H. Lester, L. B. Mitchell, W. J. M^c Kellaw, D. J. Montgomery, X. J. Pindall, J. D. Preston, W. H. C. Ried, O. P. Richardson, J. F. Smith, J. J. Slaughter, J. M. Thompson, D. W. Thomason, J. D. W. Viller, J. P. Venable.

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John C. Walker, L. C. White, Joseph Wright. The Speaker.

The following named representatives voted for H. King White, viz:

Mr C. C. Johnson, B. M^c Guire. A. J. White.

Representative J. F. Davies, voted for R. S. Terkes.

Representative J. B. Chaplin, voted for J. P. Eagle.

Recapitulation of the Joint vote.

Dudley E. Jones, received	- - -	64 votes.
H. King White, received	- - -	3 votes.
R. S. Terkes, received	- - -	2 votes.
J. P. Eagle, received	- - -	1 vote

Whole number of votes cast,	70.
Necessary to a choice,	36.

Dudley E. Jones, having received a majority of all the votes cast, was declared duly elected a Member of the State Board of Supervisors.

Nominations being again in order,

Representative Conway, nominated Gordon N. Peay.

Representative Sumpster, nominated William D. Blocher.

Representative C. C. Johnson, nominated H. King White.

No further nominations being made,

The convention proceeded to vote viva voce for a second person as a Member of the State Board of Supervisors, when it appeared that the following named Senators voted for Gordon N. Peay, viz:

Senator Askew, Beavers, Beldin, Brown, Bunn, Duragin, Duke, Frierson, Jones, Lovejoy, M^c Cabe, M^c Chesney, Pollard,

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Senator Ratcliffe, Sawyer, Scott, White.

Senator Hawks, voted for William D. Blocher.

The following named representatives voted for Gordon N. Peay, viz:

Mr. O. P. Anderson, N. H. Arnold, N. H. Burton, D. D. Brock, J. B. Burton, W. B. Carter, David Chaudler, J. B. Chaplin, Charles Coffin, J. D. Conway, B. H. Crowley, F. Dosewell, L. W. Davis, J. D. Davies, Mr. Mr. Auffer, J. P. Eagle, Mr. Mr. Erwin, A. W. Files, J. Mr. Foster, L. D. Gilbreath, J. M. Gist, J. W. Gossett, L. G. Hart, Mr. E. Hawkins, Mr. Nixon, D. J. Hynds, A. D. King, B. W. Johnson, L. L. Johnson, R. Joyner, P. H. Lester, L. B. Mitchell, W. D. McClellan, D. J. Montgomery, X. J. Pindall, J. D. Preston, W. H. C. Reed, O. P. Richardson, J. D. Smith, J. J. Sumpster, J. M. Thompson, D. W. Thompson, D. J. W. Diller, J. P. Venable, John C. Walker, L. C. White Joseph Wright, The Speaker.

The following named Representatives voted for H. King White, viz:

Mrs C. C. Johnson, B. Mr. Guire, A. J. Wheat.

Representative J. Cleveland, voted for William D. Blocher.

Recapitulation of the Joint Vote.

Gordon N. Peay, received	65 votes.
H. King White, received	3 votes.
William D. Blocher, received	2 votes.

Whole number of votes cast,	70.
Necessary to a choice	36.

Gordon N. Peay, having received a majority of all the votes cast, was declared duly elected a member of the State Board of Supervisors.

Nominations being again in order.

Senator Ratcliffe nominated George A. Gallagher.

Representative Erwin, nominated Ben D. Emery.

Representative B. W. Johnson, nominated May 20, 1874.
Tom. P. Dockery.

Representative C. C. Johnson, nominated H. King White.

Representative Dillar, nominated A. H. Garland.

Senator Duke, nominated Conway Barbour.

Representative Wheat, nominated R. C. Newton.

Representative Chapline, nominated A. B. White.

No further nominations being made.

The Convention proceeded to vote viva voce, for a third person as a Member of the State Board of Supervisors, when it appeared that the following named Senators voted for George A. Gallagher, viz:

Senator Askew, Frierson, Jones, Lovejoy, Pollard, Ratcliffe.

The following named Senators voted for A. H. Garland, viz:

Senator Beldin, Brown, Duragin, McChesney.

The following named Senators voted for Tom. P. Dockery, viz:

Senator Beavers, Bunn, Hanks, McCabe.

The following named Senators voted for Conway Barbour, viz:

Senator Duke, Sawyer, White.

Senator Scott, voted for Ben. T. Emery.

The following named Representatives voted for A. H. Garland, viz:

Mr H. H. Arnold, H. H. Burton, D. D. Brock, W. B. Carter, David Chandler, J. D. Conway, J. Cleveland, J. P. Eagle, A. W. Files, L. D. Gilbreath, J. M. Gist, D. G. Hart, D. J. Hynds, L. L. Johnson, P. W. Lester, W. J. McCallaw, D. J. Montgomery, X. J. Pindall, J. T. Preston.

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Mr J. J. Sumpter, J. M. Thompson, W. H. Thomason, J. D. H. Diller, John C. Walker, Joseph Wright, The Speaker.

The following named Representatives voted for George A. Gallagher, viz:

Mrs O. P. Anderson, J. B. Burton, Charles Coffin, B. N. Crowley, F. Doswell, L. W. Davis, J. F. Davies, M. M. Duffie, J. M. Foster, W. H. C. Reid, J. F. Smith.

The following named Representatives voted for Ben. T. Emery, viz:

Mrs M. M. Erwin, M. Nixon, A. D. King, L. B. Mitchell, J. P. Venable.

The following named Representatives voted for Tom. P. Dockery, viz:

Mrs J. W. Gossett, D. W. Johnson, O. P. Richardson.

The following named Representatives voted for Conway Barbour, viz:

Mrs J. B. Chapline, M. E. Hawkins, L. C. White.

The following named Representatives voted for H. King White, viz:

Mrs C. C. Johnson, B. M. C. Guire.

Representative A. J. Wheat, voted for R. C. Newton.

Recapitulation of the Joint Vote.

A. H. Garland, received	30 votes.
George A. Gallagher, received	17 votes.
Tom. P. Dockery, received	7 votes.
Ben. T. Emery, received	6 votes.
Conway Barbour, received	6 votes.
H. King White, received	2 votes.
R. C. Newton, received	1 vote.

Whole number of votes cast,	69.
Necessary to a choice,	35.

No person received a majority of all the votes cast.
By unanimous consent Senator Duke withdrew the nomination of

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Conway Barbour.

Senator Patchiffe withdrew the nomination of George H. Gallagher.

Representative Eagle, withdrew the nomination of Tom. P. Dockery.

Representative Erwin, withdrew the nomination of Ben. J. Emery.

Representative C. C. Johnson, withdrew the nomination of H. King White.

Representative Wheat, withdrew the nomination of A. C. Newton.

The Convention proceeded again to vote *viva voce*, for a third person as a Member of the State Board of Supervisors, when it appeared that the following named Senators voted for A. H. Garland viz:

Senator Askew, Beavers, Beldin, Bunn, Duragin, Duke, Frierson, Hawks, Jones, Lovejoy, McChesney, Pollard, Patchiffe, Sawyer, Scott,

The following named Representatives voted for A. H. Garland, viz:

Mr O. P. Anderson, H. H. Arnold, H. H. Barton, D. D. Brock, J. B. Burton, W. B. Carter, David Chandler, J. B. Chapline, Charles Coffin, J. S. Conway, J. Cleland, B. H. Crowley, F. Doswell, L. W. Davis, J. F. Davies, Mc. M. Duffie, J. P. Eagle, Mc. M. Erwin, A. W. Files, J. M. Foster, L. D. Gilbreath, J. M. Gist, J. W. Gossett, D. G. Hart, M. E. Hawkins, Mc. Nixon, D. J. Hynds, A. D. King, B. W. Johnson, C. C. Johnson, L. L. Johnson, R. Joyner, P. M. Lester, L. B. Mitchell, W. J. McKellan, B. M. Guire, D. J. Montgomery, X. J. Pindall, J. D. Preston, W. H. C. Ried, O. P. Richardson, J. F. Smith, J. J. Sumpter, J. M. Thompson, J. W. Thomason, J. D. W. Tiller, J. P. Venable, John C. Walker, A. J. Wheat, L. C. White, Joseph Wright, The Speaker.

A. H. Garland, received 67 votes.

A. H. Garland, having received the whole number of votes cast was declared duly elected a Member of the State Board of Supervisors.

On motion of Senator Frierson,

Ordered, That a Joint Committee of three Senators and five Representatives be appointed to

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wait upon and notify the persons elected Members of the State Board of Supervisors of their election, and to make report thereof, to their respective bodies, at the hour of assembling on the morrow.

The Lieutenant Governor, appointed on the part of the Senate, as such Committee Senators Frierson, Batcliffe and M. E. Cane.

The Speaker of the House, appointed on the part of the House of Representatives, as such Committee, Representatives X. J. Pindall, A. J. Wheat, M. E. Hawkins, J. D. Conway and J. D. Smith.

On motion of Senator Duragin, The Convention adjourned.

The Speaker, having resumed the Chair.

On motion of Mr Conway,

The House at 6 o'clock and 30 minutes P. M. adjourned.

Approved:
Chas C Rice Jr.

Clerk of the House.

James H Berry
Speaker of the House.

House of Representatives.Thursday, May 21. 1874.

The House met at 10 o'clock A. M.

The Roll being called, it appeared that the following named Members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr B. M. Guire,
H. H. Arnold,	A. W. Files,	D. J. Montgomery,
H. H. Barton,	J. M. Foster,	X. J. Pindall,
A. E. Beardsley,	L. D. Gilbreath,	J. V. Preston,
D. D. Brock,	J. M. Gist,	H. H. C. Reid,
J. D. Burton,	J. W. Gossett,	O. P. Richardson,
H. B. Carter,	D. G. Hart,	J. F. Smith,
David Chaudler,	Mr E. Hawkins,	J. J. Sumpter,
J. P. Chapline,	Mr Nixon,	J. M. Thompson,
Charles Coffin,	D. J. Hynds,	D. W. Thomason,
J. D. Conway,	A. D. King,	J. D. W. Diller,
J. Cleveland,	B. W. Johnson,	J. P. Venable,
B. H. Crowley,	C. C. Johnson,	John C. Walker,
F. Doswell,	L. L. Johnson,	A. J. Wheat,
L. W. Davis,	R. Joyner,	L. C. White,
J. F. Davies,	P. K. Lester,	Joseph Wright,
Mr M. Duffie,	L. B. Mitchell,	The Speaker,
J. P. Eagle,	W. D. McClellan,	

Prayer by the Chaplain. Pro Tempore.

The Journal of Wednesday was read and approved.

The following additional Members appeared, and having taken the oath of office, took their seats within the bar of the House, viz:

From the Eleventh District,
From the Eighth District.

W. Foreman.
J. D. Wheeler.

By unanimous consent,

Mr Montgomery introduced a bill (H. R. 41) entitled an Act to repeal an Act entitled an Act prescribing the penalty for neglecting to make fences and enclosures in conformity to existing laws.

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Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

Mr McCallan, moved that the rules be further suspended, and that the bill be read a third time.

Which was not agreed to (two thirds of the members present not voting therefor).

Mr Preston, moved that the bill be referred to the Committee on Roads and Highways.

Which was not agreed to.

Mr Davies, moved that the bill be referred to the Committee on Ways and Means.

Which was not agreed to.

On motion of Mr Davies.

The bill was referred to the Committee on Agriculture.

By unanimous consent.

Mr White, introduced a bill (H. R. 42) entitled, an Act governing the licensing of groceries and dram shops, and for other purposes.

Which was read a first time.

Under a suspension of the rules,

The bill was read a second time

And

On motion of Mr Ried,

Was referred to the Committee on the Judiciary.

By unanimous consent.

Mr Dillar, introduced a bill (H. R. 43) entitled, an Act for the relief of purchasers of School Lands.

Which was read a first time.

By unanimous consent.

May 21. 1874.

Under a suspension of the rules.

The bill was read a second time by title.

And

On motion of Mr Dillar,

Was referred to the Committee on the Judiciary.

By unanimous consent.

Mr Joiner, introduced a bill (H. R. 44.) entitled,
an act to change the boundary line between Poinsett and Craig-
head Counties.

Which was read a first time.

By unanimous consent, Under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Davis,

Was referred to the Committee on Coun-
ties and County Lines.

Under the order of business,

On motion of Mr Reed, Ordered,

That it is the sense of this House, that any officer or Member of
this House, excused by the House, for any cause except sickness,
is not entitled to any per diem for such time as he is absent,
and the Speaker and Clerk are hereby instructed to be so gov-
erned, in issuing their certificates.

Under the Rule,

Mr Crowley, from the Committee on Engrossed Bills
reported correctly engrossed the bill of the House (H. R. 17) entitled
an Act to protect public and private levees.

Also, the bill of the House
(H. R. 12.) entitled an Act to prevent frauds in the disbursement of
the public School funds, and for other purposes.

By unanimous consent.

Mr C. C. Johnson, introduced a joint resolu-
tion (H. Jt. Res. 6.) a joint resolution requesting Powell Clayton, and
S. W. Dorsey, to resign their seats as Senators in Congress from
Arkansas.

May 21, 1874.

Which was read a first time.

By unanimous consent, On motion of Mr Sumpter, Under a suspension of the rules.

The joint resolution was read a second time by title.

Mr. Burton, moved that the joint resolution be referred to the Committee on Federal Relations.

Mr Chapline, moved that the joint resolution lie on the table.

Which was not agreed to.

The question being on the motion that the joint resolution be referred to the Committee on Federal Relations.

Mr Priddall, moved as a substitute,

That the joint resolution be referred to the joint Committee, appointed to inquire into the conduct of Senators and Representatives in Congress from Arkansas, in relation to the late conspiracy against the legal State Government.

Which latter motion was agreed to.

The hour of 11 o'clock A. M. having arrived.

The House proceeded to consider the special order set for that hour, being the consideration of the bill of the House (H. R. 12.) entitled, an Act to prevent frauds in the disbursement of the public School funds, and for other purposes.

Which was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

Yeas	50.
Nays	None.
Not Voting:	32.

May 21, 1874.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr M. M. Erwin.	Mr S. J. Montgomery.
A. H. Arnold,	A. W. Files.	X. J. Pindall.
A. H. Barton,	J. M. Foster.	J. T. Preston.
A. E. Beardsley,	L. D. Gilbreath,	H. H. C. Ried.
W. A. Beasley,	J. M. Gist.	O. P. Richardson.
D. D. Brock,	J. W. Gossett,	J. H. Smith,
J. B. Burton,	D. G. Hart,	J. J. Sumpster,
W. B. Carter,	Mo. Nixon,	J. H. Thomason,
David Chaudler,	D. J. Hynds,	L. L. Thompson,
Charles Coffin,	A. D. King,	J. D. W. Miller,
J. D. Conway,	C. C. Johnson,	J. P. Venable.
B. H. Crowley,	L. L. Johnson,	John C. Walker,
J. H. Cunningham,	R. Joyner,	J. W. Wheeler,
F. Daswell,	P. H. Lester,	A. J. Wheat,
L. W. Davis,	L. B. Mitchell,	Joseph Knight.
J. D. Davies,	William Murphy,	The Speaker.
M. M. Duffie,	W. D. McKellan,	
J. P. Eagle.	B. M. Guire.	

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Husley,	Mr W. W. Highey,	Mr J. C. Rollins.
C. E. Berry,	D. M. Jacks.	G. S. Scott,
Thos. Barrow,	A. R. Johnson,	A. H. Spears.
D. Bridenthal,	B. W. Johnson,	J. S. Stephenson,
Neill Brown,	J. E. Joslyn,	S. L. String.
W. H. Cate,	R. Lee,	S. P. Swepton.
J. B. Chaplin,	A. J. Marsh,	J. M. Thompson,
J. Cleveland,	P. M. C. Bowen,	C. W. Daukensley,
W. Foreman,	Robert Pock,	L. C. White,
Mo. E. Hawkins,	H. M. Purefoy,	J. W. Williams.

So the Bill was passed.

By unanimous consent,

Mr Ried, from the Committee of Ways and Means, to whom was referred the bill of the House (H. R. 29) entitled, an Act to amend Section 9 of Chapter 169, of Gould's Digest, in relation Groceries and Drum Shops.

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returned the same with the recommendation that the bill be referred to the Committee on the Judiciary.

The report of the Committee was adopted.

And,

The bill was accordingly referred to the Committee on the Judiciary.

Mr Reed, also, from the same Committee, to whom was referred the bill of the House (H. R. 20.) entitled, an Act making an appropriation for the payment of the Registrars, for the year 1873, reported the same, and recommended its passage.

By unanimous consent,

On motion of Mr Reed,

The House proceeded to consider the bill of the House (H. R. 20.) entitled, an Act making an appropriation for the payment of the Registrars for the year 1873.

Which was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas. - -	54.
	Nays. - -	4.
	Avt Voting: 23.	

Those who voted in the affirmative, are:

Mr O. P. Anderson.
H. H. Arnold.
H. H. Barton.
A. E. Beardsley.
W. A. Beasley.
Thos. Barrow.
D. D. Brock.
J. A. Burton.
W. B. Carter.
David Chandler.
J. B. Chapline.
Charles Coffin.

Mr J. D. Conway.
J. Cleveland.
B. H. Crowley.
T. Doswell.
L. W. Davis.
J. F. Davies.
M. M. Duffie.
J. P. Eagle.
M. M. Erwin.
A. W. Giles.
W. Foreman.
J. M. Foster.

Mr J. M. Gist.
J. W. Gossett.
D. G. Hart.
M. E. Hawkins.
M. Hixon.
D. J. Hynds.
A. D. King.
C. C. Johnson.
L. L. Johnson.
P. H. Lester.
L. B. Mitchell.
William Murphy.

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Mr W. J. McClellan.	Mr O. P. Richardson.	Mr John C. Walker.
B. McGuire.	J. D. Smith.	J. F. Wheeler.
D. J. Montgomery.	D. W. Thomason.	A. J. Wheat.
X. J. Randall.	L. L. Thompson.	L. C. White.
J. D. Preston.	J. D. H. Diller.	Joseph Wright.
W. H. C. Reid.	J. O. Venable.	The Speaker.

Those who voted in the negative, are.

Mr J. F. Cunningham, L. D. Gilbreath, A. R. Johnson, B. W. Johnson,
J. M. Thompson.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. E. Joslyn.	Mr G. S. Scott.
C. E. Berry.	R. Joyner.	A. H. Spears.
D. Bridenthal.	R. Lee.	J. S. Stephenson.
Neill Brown.	A. J. Marsh.	S. L. Strong.
W. H. Cate.	P. M. Cowen.	J. J. Sumpter.
W. W. Hughey.	Robert Polk.	S. P. Sweepston.
D. M. Jacks.	H. M. Purefoy.	C. W. Tankersley.
	J. C. Rollins.	J. W. Williams.

So the bill was passed.

The Hour of 11 o'clock and 30 minutes having arrived

The House proceeded to consider the special order set for that hour, being the consideration of the bill of the House (H. R. 17.) entitled, an Act to protect public and private lives.

Which was read a third time and placed upon its passage.

This question being put. Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	-	54.
	Nays.	-	None.
	Not Voting.	-	28.

May 21, 1874.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr J. P. Eagle,	Mr B. W. Guire,
H. H. Arnold,	M. W. Erwin,	D. J. Montgomery,
H. H. Barton,	A. W. Giles,	X. J. Pindall,
A. E. Beardsley,	W. Foreman,	J. D. Preston,
W. A. Beasley,	J. M. Foster,	W. H. C. Reid,
L. D. Brock,	L. D. Gilbreath,	O. O. Richardson,
J. B. Burton,	J. M. Gist,	G. S. Scott,
W. P. Carter,	D. G. Hart,	J. M. Thompson,
David Chaudler,	W. E. Hawkins,	J. W. Thomason,
Charles Coffin,	Mr. Nixon,	L. L. Thompson,
J. D. Conway,	D. J. Hynds,	J. D. W. Diller,
J. Cleveland,	A. D. King,	J. P. Venable,
B. H. Crowley,	B. W. Johnson,	John C. Walker,
J. F. Cunningham,	C. C. Johnson,	J. F. Wheeler,
J. F. Dosewell,	P. K. Lester,	A. J. Wheat,
L. W. Davis,	L. B. Mitchell,	L. C. White,
J. F. Davies,	William Murphy,	Joseph Wright,
W. W. Duffie,	W. J. McCallan,	The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley,	Mr D. M. Jacks,	Mr H. M. Purefoy,
C. E. Beiry,	A. A. Johnson,	J. C. Rollins,
Thos Barrow,	L. L. Johnson,	J. F. Smith,
D. Bridenthal,	J. E. Joslyn,	P. H. Spears,
Neill Brown,	R. Joyner,	J. S. Stephenson,
W. H. Cate,	R. Lee,	S. L. Strong,
J. B. Chaplin,	A. J. Marsh,	J. J. Supter,
J. W. Gossett,	P. M. Cowan,	C. W. Tankersley,
W. W. Hughey,	Robert Polk,	S. A. Swepton,
		J. W. Williams,

So the bill was passed.

The Speaker laid before the House, the following communication from Mr J. F. Wheeler.

Which was read, Viz:

May 21, 1874.

Mr Speaker,

As I have been deprived of the privilege of casting my vote for the bill providing for a Constitutional Convention, for causes over which I had no control, I was unable to reach the Capitol in time to cast my vote, and as I was elected on a pledge to vote for it, I request that my full acquiescence to the support of that measure be spread upon the Journals of the House.

Respectfully,

J. F. Wheeler.
of Sebastian.

By unanimous consent,

Mr Duffie, from the Select Committee appointed to inquire whether any members were prevented from attending the Sessions of the House, by reason of the military forces, and to ascertain and report whether any of the Members of the House have been engaged in armed and open rebellion against the legal State Government, submitted the following additional report, which was read, viz:

Mr Speaker:

Your Committee appointed under House resolution to investigate and report to this body, who, if any, of the Members of this House have been engaged in armed hostility against the legal Government of this State, beg leave respectfully to report:

That they have made such investigation from the best evidences before them, and find that, Hon. Lee L. Thompson, Hon. Neill Brown and Hon. C. E. Berry, Members of this House have been in the military service of Joseph Brooks.

They further find that all of said members have laid down their arms in obedience to the Proclamation of the President of the United States, dated the 15th instant, and have submitted themselves to the constituted authorities, of the State of Arkansas.

Wb. Wb. Duffie, Ch^m
Joseph Wright.
H. J. McCallan.

By unanimous consent,

Mr McCallan, introduced a bill (H.R. 45) entitled, an act to amend section 8. of an act approved April

May 21, 1874.

30th 1873, entitled an Act to establish a Board of Supervisors in each County in the State, and to define their duties.

Which was read a first time.

By unanimous consent. Under a suspension of the rules,

The bill was read a second time, by title.

On motion of Mr King,

The bill was amended by inserting the words "Johnson County."

On motion of Mr Dillar,

The bill was amended by inserting the words "Clark County."

On motion of Mr Wheat,

The bill was amended by inserting the words "Jefferson County,"
Then,

On motion of Mr Sumpster,

The bill was referred to the Committee on Counties and Probate Courts, for the purpose of further amendment.

By unanimous consent,

Mr Erwin, from the Committee on Counties and County Lines, to whom was referred the bill of the House (H. R. 33,) entitled, an Act to remove the County seat of Prairie County from Devall's Bluff to Des Arc, reported the same and recommended a Substitute therefor of similar title.

The report of the Committee was adopted.

And,

The Substitute was accordingly adopted in lieu of the original bill.

And

By unanimous consent,

The Substitute bill was read a third time and placed upon its passage.

May 21, 1874.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - 54.
Nays. - None
Not Voting: 28.

Those voting in the affirmative, are:

Mr O. P. Anderson.	Mr M. M. Duffie.	Mr H. J. McClellan.
H. H. Arnold.	J. P. Eagle.	B. M. Guire.
H. H. Barton.	Mr. M. E. Ewin.	D. J. Montgomery.
A. E. Beardsley.	A. W. Files.	L. J. Pindall.
W. A. Beasley.	W. Foreman.	Robert Polk.
D. D. Brock.	J. M. Foster.	J. D. Preston.
J. B. Burton.	L. D. Gilbreath.	W. H. C. Ried.
W. B. Carter.	J. M. Gist.	J. F. Smith.
David Chandler.	J. W. Gossett.	J. J. Sumpter.
J. B. Chapline.	D. G. Hart.	J. W. Thomason.
Charles Coffin.	Mr. E. Hawkins.	L. L. Thompson.
J. D. Conway.	Mr. Nixon.	J. D. W. Villar.
J. Cleveland.	D. J. Hynds.	John C. Walker.
B. H. Crowley.	A. D. King.	A. J. Wheat.
J. F. Cunningham.	C. C. Johnson.	L. C. White.
F. Doswell.	R. Joyner.	William Murphy.
L. W. Davis.	A. H. Lester.	Joseph Wright.
J. F. Davies.	L. B. Mitchell.	The Speaker.

None voting in the negative:

Those absent or not voting, are:

Mr J. A. Ansley.	Mr B. W. Johnson.	Mr G. S. Scott.	Mr J. H. Williams.
C. E. Berry.	L. L. Johnson.	P. H. Spears.	
Thos. Barrow.	J. E. Joslyn.	J. S. Stephenson.	
D. Bridenbach.	R. Lee.	S. L. Strong.	
Will Brown.	A. J. Marsh.	S. P. Swepton.	
W. H. Cate.	P. M. Corven.	J. M. Thompson.	
W. W. Hughey.	H. M. Purefoy.	C. H. Tankersley.	
J. M. Jacks.	O. P. Richardson.	J. P. Venable.	
A. R. Johnson.	J. C. Rollins.	J. F. Wheeler.	

May 21. 1874.

So the bill was passed.

By unanimous consent,

Mr McCallaw, introduced a bill (H. R. 46) entitled,
an act to prevent certain frauds in the execution of Mortgages.

Which was read a first time.

By unanimous consent. Under a suspension of the rules.

The bill was read a second time by title, and referred to the Committee on the Judiciary.

By unanimous consent,

Mr Wheat introduced a bill (H. R. 47) entitled,
an act authorizing appropriations of the revenue of the Counties of Jefferson and Lincoln, for certain purposes.

Which was read a first time.

Mr Wheat moved that the rules be suspended, and that the bill be read a second time.

Which was not agreed to, (Two-thirds of the Members present not voting therefor.)

By unanimous consent,

On motion of Mr Sumpster.

The House.

proceeded to consider the bill of the Senate (S. 7.) entitled, an act directing the Auditor to draw his warrant on the Treasurer for the payment for the legal advertising done by the official newspapers of the State.

Before the bill was read,

On motion of Mr Duffie.

The House took a recess until 4 o'clock. P. M.

After the Recess.

The House met at 4 o'clock. P. M.

May 21. 1874.

The House under the order of unfinished business resumed consideration of the bill of the Senate (S. 7.) entitled, an Act directing the Auditor to draw his warrant on the Treasurer for the payment for the legal advertising done by the official newspapers of the State.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

On motion of Mr J. M. Thompson,

By unanimous consent,

Under a suspension of the rules,

The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. --	48.
Nays. --	4.
Not voting:	30

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr L. H. Davis,	Mr A. K. Lester,
H. A. Barton,	Mr. M. Duffie,	L. B. Mitchell,
A. E. Beardsley,	J. P. Eagle,	William Murphy,
H. A. Arnold,	A. W. Files,	H. J. M. C. Clallow,
H. A. Beasley,	H. Foreman,	B. M. Guire,
D. D. Brock,	J. M. Foster,	D. J. Montgomery,
J. B. Burton,	J. M. Gist,	J. D. Preston,
H. B. Carter,	J. H. Gossett,	H. A. C. Reed,
David Chaudler,	D. G. Hart,	O. P. Richardson,
J. B. Chopline,	Mr. E. Hawkins,	J. T. Smith,
Charles Coffin,	Mr. Nixon,	J. J. Sumpter,
J. D. Conway,	A. D. King,	J. M. Thompson,
J. Cleveland,	C. C. Johnson,	J. D. W. Tiller,
B. H. Crowley,	L. L. Johnson,	J. P. Venable,
F. Doswell,	R. Joyner,	John C. Walker,

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Mr A. J. Wheat, L. C. White, The Speaker.

Those voting in the negative, are

Messrs J. D. Cunningham, L. D. Gilbreath, J. W. Thompson, L. L. Thompson.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. M. Jacks,	Mr J. C. Rollins.
C. E. Berry.	A. R. Johnson.	G. S. Scott.
Thos. Barrow.	B. W. Johnson.	R. H. Spears.
D. Bredenhat.	J. E. Joslyn.	J. S. Stephenson.
Neill Brown.	R. Lee.	S. L. Strong.
W. H. Cate.	A. J. Marsh.	S. P. Sweepston.
J. F. Davies.	P. M. Cowen.	C. W. Tankersley.
Mo. M. Erwin	X. J. Pindall.	J. F. Wheeler.
W. W. Hughey.	Robert Polk.	J. W. Williams.
D. J. Hynds.	H. M. Purfoy.	Joseph Wright.

So the bill was passed.

A Message from His Excellency the Governor, by
Gen. M. M. Cannary, his private Secretary, viz:

Executive Office.
State of Arkansas.
Little Rock, May 21. 1874.

To the House of Representatives
of Arkansas.

Gentlemen:

I herewith return "House Bill
entitled an Act to suspend the sale of Personal Property, for the
tax due thereon, for the years 1872 and 1873."

Also, "House Bill entitled, an Act to authorize the Auditor
of State to draw his Warrant on the Treasurer of the State, for
the funds appropriated for School purposes,"

All of which have been approved.

Elisha Baxter,
Governor of Arkansas.

May 21, 1874.

A message from the Senate, by Mr Orrick, their Secretary. viz:

Senate Chamber,

Little Rock, Ark, 21st May, 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Substitute to Senate Bill No. 8. entitled, an Act authorizing the Governor to fill vacancies *pro tempore*, in cases of impeachment.

Also, Substitute to Senate Bill No. 3. entitled, a bill to be entitled, an Act providing for the changing the County site of Clayton County.

Also, House bill No. 3. entitled, an Act entitled an Act to change the boundary line between the Counties of Monroe and Prairie, and herewith respectfully transmit the same for your consideration.

N. H. Orrick,

Secretary.

Under the order of unfinished business.

The House resumed consideration of the bill of the House (H. R. 40.) entitled, an Act to establish supervision of Insurance Companies by the Secretary of State.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Thomason,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr McClellan, introduced a bill (H. R. 48) entitled, an Act to provide for the settlement of the Collectors of revenue, for the revenue collected by them in the year 1874.

Which was read a first time.

May 21. 1874.

By unanimous consent, under a suspension of the rules,

The bill was read a second time, by title. And

On motion of Mr McClellan,

Was referred to the Committee of Ways and Means.

By unanimous consent,

Mr Coffin, introduced a bill (H. R. 49) entitled, an Act to provide for the payment for the publication of the lists for delinquent lands, for the year 1873.

Which was read a first time.

On motion of Mr Coffin,

The rules were suspended (two-thirds of the Members present voting therefor) And,

The bill was read a second time by title. And,

On motion of Mr Coffin,

Was referred to the Committee of Ways and Means.

Under the regular order of business,

On motion of Mr Sumpter, The House proceeded to consider the bill of the Senate, (S. 8) entitled an Act authorizing the Governor to fill vacancies pro tempore in cases of impeachment.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

On motion of Mr Ried, the rules were further suspended (two-thirds of the members present voting therefor) And

The bill was read a third time and placed upon its passage.

May 21. 1874.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - - - 53.
Nays. - - - 3.
Not Voting: 26.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr B. M. Guire,
H. H. Arnold,	A. W. Files,	X. J. Pindall,
H. H. Barton,	W. Foreman,	J. T. Preston,
A. E. Beardsley,	L. D. Gilbreath,	W. H. C. Reid,
W. H. Beasley,	J. M. Gist,	O. P. Richardson,
D. D. Brock,	J. W. Gossett,	J. F. Smith,
J. B. Burton,	D. H. Hart,	J. J. Sumpter,
W. B. Carter,	Mr. E. Hawkins,	J. M. Thompson,
David Chaudler,	Mr. Hixon,	D. W. Thomason,
J. B. Chapline,	D. J. Hynds,	L. L. Thompson,
Charles Coffin,	A. D. King,	J. F. W. Tiller,
J. D. Conway,	C. C. Johnson,	J. P. Venable,
J. Cleveland,	L. L. Johnson,	John C. Walker,
J. T. Cunningham,	R. Joyner,	A. J. Wheat,
L. W. Davis,	P. K. Lester,	L. C. White,
J. F. Davies,	L. B. Mitchell,	Joseph Wright,
Mr. M. Duffie,	William Murphy,	The Speaker,
J. P. Eagle,	W. D. McCallaw,	

Those who voted in the negative, are:

Mr F. Doswell, B. W. Johnson, G. S. Scott.

Those absent or not voting, are:

Mr J. A. Ansley,	Mr J. M. Foster,	Mr P. M. Corwen,
C. E. Berry,	W. W. Hughey,	D. J. Montgomery,
Thos. Barrow,	D. M. Jacks,	Robert Polk,
D. Brideuthal,	A. R. Johnson,	H. M. Purefoy,
Neill Brown,	J. E. Joslyn,	J. C. Rollins,
H. H. Cate,	R. Lee,	P. H. Spears,
B. H. Crowley,	A. J. Marsh,	J. S. Stephenson,

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Mr S. L. Strong, S. P. Swepston, C. W. Danksley, J. D. Wheeler, J. W. Williams.

So the bill was passed.

By unanimous consent,

Mr Beasley, introduced a bill (H. R. 50) entitled, an act to establish the line between the Counties of Nevada and Columbia.

Which was read a first time.

On motion of Mr Gilbreath, the rules were suspended (two-thirds of the members present voting therefor)

And

The bill was read a second time by title, And,

By unanimous consent,

Was referred to the Committee on Counties and County Lines.

By unanimous consent,

Mr Pindall, from the Committee on the Judiciary, instructed to report necessary legislation, to bring certain officers engaged in rebellion against the State Government, to speedy and effective punishment, submitted the following majority report, which was read, Viz:

Mr Speaker:

Your committee on Judiciary, to whom was referred the resolution of the House, instructing them to inquire if there is any legislation necessary to bring to speedy and effective punishment, certain officers who have recently been in open rebellion against the State Government; beg leave to report, that in their opinion, the Act of the 27.th of Feb. 1873. entitled an "Act to punish usurpation of office," and the law punishing treason, misprision of treason, and conspiracy, as contained in Chap. 51 of Gould's Digest, together with the law on impeachment, are sufficient, if enforced, to punish any officer who has recently undertaken to overthrow the State Government, and we earnestly recommend a strict enforcement of the law.

Whereupon, By unanimous consent, Mr Wheat from the same Committee submitted the following minority report, which was read, Viz:

May 21. 1874.

Mr Speaker:

Not concurring fully in the report of the Chairman on Judiciary, to whom was referred House resolution requiring the said Committee to inquire when there is any legislation necessary, to bring to speedy and effective punishment, certain officers who have recently been in armed insurrection against the State Government. I beg leave to report as follows:

I endorse the said report so far as it goes, but in addition thereto would recommend that during the pendency of proceedings at law against any State officer, or person holding official position for any of the crimes mentioned in the said majority report, the Governor of the State be and he is hereby authorized and empowered, to appoint and commission some suitable person or persons to fill said official positions during such prosecutions.

A. J. Wheat, of Jefferson.

Under the regular order of business.

On motion of Mr Crowley,

The House proceeded to consider the Substitute for the bill of the Senate (Sub. S. 3.) entitled, an Act providing for the changing of the County seat of Clayton County.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

On motion of Mr Preston,

The rules were further suspended (two thirds of the members present voting therefor,) and

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas. --	38.
	Nays. --	22.
	Not Voting:	22.

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Those who voted in the affirmative, are:

Mr A. A. Arnold,	Mr A. W. Files,	Mr W. H. C. Reid,
A. E. Beardsley,	W. Foreman,	G. S. Scott,
W. H. Beasley,	L. D. Gilbreath,	J. J. Sumpter,
J. B. Burton,	J. M. Gist,	J. M. Thompson,
W. B. Carter,	J. W. Gossett,	D. W. Thomason,
J. B. Chaplin,	Mr. E. Hawkins,	J. D. W. Diller,
Charles Coffin,	D. J. Hynds,	J. P. Venable,
J. D. Conway,	L. L. Johnson,	John C. Walker,
P. H. Crowley,	R. Joyner,	J. F. Wheeler,
L. W. Davis,	P. K. Lester,	A. J. Wheat,
J. F. Davis,	L. P. Mitchell,	Joseph Wright,
Mr. M. Duffie,	X. J. Oindall,	The Speaker,
J. P. Eagle,	J. D. Preston,	

Those who voted in the negative, are:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr William Murphy,
H. H. Barton,	J. M. Foster,	W. J. M. Chellan,
D. D. Brock,	D. G. Hart,	B. M. Geire,
David Chandler,	Mr. Nixon,	D. J. Montgomery,
J. Cleveland,	A. D. King,	O. P. Richardson,
J. F. Cunningham,	B. W. Johnson,	J. F. Smith,
F. Doswell,	C. C. Johnson,	L. L. Thompson,
		L. C. White,

Those absent or not voting, are:

Mr J. A. Ansley,	Mr D. M. Jacks,	Mr A. M. Purefoy,
C. E. Berry,	A. R. Johnson,	J. C. Rollins,
Thos. Barrow,	J. E. Joslyn,	P. H. Spears,
D. Briedenthal,	R. Lee,	J. S. Stephenson,
Neill Brown,	A. J. Marsh,	S. L. Strong,
W. H. Cate,	P. M. Cowen,	S. P. Sweepston,
W. H. Hughey,	Robert Polk,	C. W. Tankersley,
		J. W. Williams,

So the bill was passed.

Mr Preston, moved, That the vote last taken be reconsidered.

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and that that motion lie on the table; Which latter motion was agreed to.

Mr White submitted the following resolution, which was read, viz:

Resolved, That a Committee consisting of five members be appointed, whose duty it shall be to enquire into the official conduct of all the State officers at Little Rock, and report to this House whether or not any such officer should be impeached; such report to be made by bill or otherwise, to be designated as the Select Committee on Impeachment.

On motion of Mr Chaplin.

The resolution was amended by striking out the words "at Little Rock."

The resolution as amended was then adopted.

The Speaker subsequently appointed as such Committee, Mr L. C. White, Mr. M. Duffie, F. Doswell, J. J. Sumpter, and W. D. McClaw.

Mr King moved,

That a select Committee of three members be appointed by the Speaker, to make inquiry of Mr Drumpler, Mr. Dabbs, and Mr Linzell, Gun-smiths of this City, and ascertain the amount of their respective losses, by reason of furnishing the troops under command of General R. C. Newton, during the late troubles, with guns, materials and labor &c, and report the result of their examination at an early day.

Which was not agreed to.

By unanimous consent, Mr Gilbreath, gave notice of the introduction of a bill to be entitled, an Act to abolish the office of Circuit Clerk of Sebastian County. Then.

On motion of Mr Smith,

The House at 5 o'clock and 22 minutes P. M. adjourned.

Approved:

Chas C Riew, Jr.

Clerk of the House.

James H. Berry
Speaker of the House.

House of Representatives.Friday, May 22, 1874.

The House met at 10 o'clock, A.M.

The Roll being called, it appeared that the following named members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr B. M. Guire,
H. H. Arnold,	A. W. Files,	D. J. Montgomery,
H. H. Barton,	W. Foreman,	L. J. Pindall,
A. E. Seardsley,	J. M. Foster,	J. D. Preston,
W. A. Seasley,	L. D. Gilbreath,	W. H. C. Reid,
D. D. Brock,	J. M. Gist,	G. S. Scott,
J. D. Barton,	J. W. Gossett,	J. F. Smith,
W. D. Carter,	D. G. Hart,	S. L. Strong,
David Chaudler,	Mr E. Hawkins,	J. J. Slaughter,
J. B. Chapline,	Mr Nixon,	J. M. Thompson,
Charles Coffin,	W. W. Hughey,	D. W. Thomason,
J. D. Conway,	D. J. Hynds,	L. L. Thompson,
J. Cleveland,	A. D. King,	J. D. W. Diller,
B. H. Crowley,	A. W. Johnson,	J. P. Venable,
J. D. Cunningham,	C. C. Johnson,	John C. Walker,
F. Dosewell,	L. L. Johnson,	J. F. Wheeler,
L. W. Davis,	A. Joyner,	A. J. Wheat,
J. F. Davies,	P. M. Lester,	L. C. White,
Mr M. Duffie,	L. B. Mitchell,	Joseph Wright,
J. P. Eagle,	W. D. McEllan,	The Speaker.

Prayer by the Chaplain, *pro tempore*.

The Journal of Thursday was read and approved.

Mr W. W. Hughey, from the Twentieth District, appeared, and having taken the oath of office, took his seat within the bar of the House.

Under the regular order of business,

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (H.R. 30)

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entitled, an Act to regulate the payment of County Taxes, reported the same, with the recommendation that the bill be not passed.

Mr Ried from the Committee of Ways and Means to whom was referred the bill of the House (H. R. 48) entitled, an Act to provide for the settlement of the Collectors of revenue, for the revenue collected by them in the year 1874; reported the same and recommended that the bill be amended, by striking out the words "County Courts," and inserting in lieu thereof, "Supervisors Courts."

The report of the Committee was adopted.

And,

The amendments were accordingly agreed to.

Mr Ried, also, from the same Committee, to whom was referred the bill of the House (H. R. 49) entitled, an Act to provide for the payment for the publication of the lists for delinquent lands for the year 1873; reported the same with the recommendation that the bill be not passed.

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House, (H. R. 2) entitled, an Act to repeal an Act, entitled an Act, in relation to forfeited lands in certain Counties of the State of Arkansas, Approved April 29. 1873; reported the same and recommended its passage.

Mr Sumpter, from the Committee on the Penitentiary, to whom was referred the bill of the House, (H. R. 28) entitled an Act to repeal an Act, entitled, an Act for the benefit of the Arkansas Institute for the Blind, Approved, April 23. 1873- reported the same and recommended its passage.

Mr McCallan, from the Committee on County and Probate Courts to whom was referred the bill of the House, (H. R. 45) entitled, an Act to amend Section 8. of an Act approved April 3. 1873, entitled, an Act to establish a Board of Supervisors in each County in the State, and define their jurisdiction.

Reported the same, and recommended that Section 1. be so amended as to include the Counties of Johnson, Clark, Jefferson, Clayton and Pulaski. And that the second Monday in October, be changed wherever it may occur in said bill; so

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as to read "the 1st Monday in October."

The Report of the committee was adopted, and the amendments were accordingly agreed to.

Mr Erwin, From the Committee on Counties and County Lines, to whom was referred the bill of the House (H. R. 50) entitled, an Act to establish the lines between the Counties of Nevada and Columbia, reported the same, and recommended its passage.

Mr Coffin, From the Committee on Public Printing, to whom was referred the bill of the House (H. R. 9) entitled, an Act to repeal an Act entitled an Act to regulate the publication of legal notices, Approved, July 14, 1868, reported the same and recommended that the bill be amended, as follows:

After the word "hereto," in the eighth line, Section Two, add the words "having a circulation therein," and
Section 3. The delinquent list of each County shall be published in some newspaper published in the County, and where there are more than one, in the one having the largest circulation in the County; and where there is no newspaper published in the County, in the one having the largest circulation therein; and the circulation shall be determined by the Circuit Court of each County.

The report of the Committee was adopted and the amendments were accordingly agreed to.

And,

On motion of Mr Pindall,

Ordered, that the bill be engrossed and made special order for a third reading for 11 o'clock and 30 minutes, A. M. on the morrow.

Mr Pindall, From the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 23) entitled, an Act regulating the fees of officers and witnesses in certain cases, reported the same, and recommended that the bill be not passed.

Mr Pindall, also, from the same Committee, to whom was referred the bill of the House (H. R. 35) entitled, an Act to empower aliens to acquire, hold, convey and demise real estate, reported the same and recommended its passage.

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By unanimous consent,

On motion of Mr Pindall, The House passed to the consideration of the bill last reported, which was

Read a third time and placed upon its passage.

The question being put: Shall the bill pass?

It was decided in the affirmative.

{	Yeas,	57.
	Nays,	2.
	Not Voting;	23.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr A. W. Files,	Mr A. J. McKellaw,
H. H. Arnold,	W. Foreman,	B. M. Givins,
H. H. Barton,	J. M. Foster,	D. J. Montgomery,
A. E. Beardsley,	L. D. Gilbreath,	X. J. Pindall,
W. A. Beasley,	J. M. Gist,	J. E. Preston,
J. B. Burton,	J. W. Gossett,	W. H. C. Reid,
H. B. Carter,	D. G. Hart,	J. F. Smith,
David Chandler,	Mr E. Hawkins,	J. J. Slaughter,
J. B. Chaplice,	Mr Hixon,	J. M. Thompson,
Charles Coffin,	W. H. Hughes,	E. W. Thomason,
J. D. Conway,	L. J. Hynds,	L. L. Thompson,
J. Cleveland,	A. D. King,	J. T. W. Diller,
B. H. Crowley,	B. W. Johnson,	J. O. Venable,
J. T. Cunningham,	C. C. Johnson,	John C. Walker,
F. Daswell,	L. L. Johnson,	J. T. Wheeler,
L. W. Davis,	A. Joyner,	A. J. Wheat,
J. T. Davies,	P. H. Lester,	L. C. White,
Mr. Mr. Duffie,	L. B. Mitchell,	Joseph Wright,
J. P. Eagle,	William Murphy,	The Speaker.

Those who voted in the negative, are:

Mr D. D. Brock, Mr M. M. Erwin.

Those absent or not voting, are:

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Mr J. H. Ansley.	Mr J. E. Joslyn.	Mr G. S. Scott.
C. E. Berry.	A. Lee.	P. H. Spears.
Thos. Barrow.	A. J. Marsh.	J. S. Stephenson.
D. Bridenthal.	P. M. Cowen.	S. L. Strong.
Neill Brown.	Robert Poole.	S. P. Sweepston.
W. H. Cate.	H. M. Purefoy.	C. W. Dauterley.
J. M. Jacks.	O. O. Richardson.	J. W. Williams.
A. R. Johnson.	J. C. Collins.	

So the bill was passed.

Mr Lester, from the Committee on State Lands, to whom was referred the bill of the House (H. R. 15.) entitled, an Act to repeal an Act entitled, an Act in relation to the forfeited lands in certain Counties in the State of Arkansas, Approved, April 29, 1873, reported the same, with the recommendation by the majority of the Committee, that the bill be passed.

By unanimous consent,

On motion of Mr Walker,

The House passed

to the consideration of the bill last reported.

Which

Was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas. - 57.
 Nays. - 2.
 Not Voting: 23.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr W. B. Carter.	Mr F. Doswell.
H. H. Arnold.	David Chandler.	L. W. Davis.
H. H. Barton.	Charles Coffin.	J. T. Davies.
A. E. Beardsley.	J. D. Conway.	J. P. Eagle.
W. A. Beasley.	J. Cleveland.	W. M. Erwin.
D. D. Brock.	B. H. Crowley.	A. W. Files.
J. B. Burton.	J. T. Cunningham.	W. Foreman.

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Mr J. M. Foster.
 L. D. Hilbreath.
 J. M. Gist.
 J. W. Gossett.
 D. G. Hart.
 M. E. Hawkins.
 M. Nixon.
 W. W. Highey.
 D. J. Hynds.
 A. D. King.
 B. W. Johnson.
 C. C. Johnson.

Mr L. L. Johnson.
 R. Joyner.
 A. H. Lester.
 L. D. Mitchell.
 William Murphy.
 W. J. McCallaw.
 B. McGuire.
 D. J. Montgomery.
 X. J. Pindall.
 J. T. Preston.
 W. H. C. Ried.
 J. F. Smith.

Mr J. J. Slaughter.
 J. M. Thompson.
 D. W. Thomason.
 L. L. Thompson.
 J. D. W. Tiller.
 J. P. Venable.
 John C. Walker.
 J. W. Wheeler.
 A. J. Wheat.
 L. C. White.
 Joseph Wright.
 The Speaker.

Those who voted in the negative, are:

Mr J. P. Chapline, Mr M. M. Duffie.

Those absent or not voting, are:

Mr J. A. Ansley.
 C. E. Berry.
 Thos. Barrow.
 D. Bridenbath.
 Neill Brown.
 W. H. Cate.
 T. M. Jacks.
 A. B. Johnson.

Mr J. E. Joslyn.
 R. Lee.
 A. J. Marsh.
 P. McCowen.
 Robert Poek.
 H. M. Purefoy.
 O. P. Richardson.
 J. C. Rollins.

Mr G. S. Scott.
 A. H. Spears.
 J. S. Stephenson.
 S. L. Strong.
 S. P. Sweptston.
 C. W. Dausensky.
 J. W. Williams.

So the bill was passed.

By unanimous consent,

On motion of Mr Wheat,

The House

proceeded to consider the bill of the House (H. R. 47) entitled, an Act authorizing the appropriations of the revenues of the Counties of Jefferson and Lincoln, for certain purposes.

Which was read a second time.

Mr Chapline, moved, that the bill be amended by inserting the words "And County of Pulaski."

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Which was not agreed to.

Then,

On motion of Mr Erwin,

The bill was referred to the Committee on Militia.

By unanimous consent,

On motion of Mr Duffie,

The House proceeded to consider the bill of the House (H. R. 38.) entitled an act of pardon and amnesty.

Which was read a second time.

And,

On motion of Mr Duffie,

Was referred to the Committee on the Judiciary.

By unanimous consent.

Mr Cunningham, introduced a bill (H. R. 51) entitled, an Act to prevent further issue of State Aid Bonds, to any Railroad Company.

Which was read a first time.

By unanimous consent; Under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr Aied,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Duffie, introduced a bill (H. R. 52.) entitled, an act to attach a part of Pulaski County to the County of Saline, and for other purposes.

Which was read a first time.

By unanimous consent,

Under a suspension of the rules.

May 22, 1874.

The bill was read a second time by title.

And

On motion of Mr Duffie,
Was referred to the Committee on Counties
and County lines.

Under the order of business of motions, resolutions and notices:

On motion of Mr B. W. Johnson,

Ordered, That His Excellency
the Governor, be requested to communicate by message or other-
wise, to this House, how many, and what troops, terms of service,
and amount of pay due them, and the probable amount of in-
debtedness due by the State in and about the late war.

On motion of Mr Gist,

Ordered, That the Committee of Ways and
Means, be instructed to confer with Maj. General Churchill, and
see if the lumber lately used by the insurgents, against the lawful
Government of this State is the property of the same, and if so, to
take legal steps to dispose of it by bill or otherwise.

Mr While moved,

That the Select Committee on Impeachment, be
authorized to rent a room in which to conduct their investigations
and deliberations.

Mr Davis moved,

That the motion be amended by adding the
words "And that the Committee be authorized to employ a
Clerk."

Which was not agreed to.

The question being on the original motion.

It was agreed to.

On motion of Mr Dillar,

Ordered, That the Sergeant at Arms be
required to furnish this House with the amount expended by
him in fitting up, repairing and furnishing the "Legislative Hall,"

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as well as the amount expended in furnishing the "Temporary Hall" for the use of the Members of the Legislature. Also giving cost of same, if paid in Arkansas Warrants.

By unanimous consent,

Mr Foster, introduced a bill (H. R. 53) entitled, an act to authorize the People of Izard County to remove their County seat.

Which was read a first time.

By unanimous consent,

Under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Foster,

Was referred to the Committee on Counties and County Lines.

By unanimous consent,

Mr Files, introduced a bill (H. R. 54) entitled, an Act requiring Assessors to give bond, and for other purposes.

By unanimous consent,

Under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Files,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Conway, introduced a bill (H. R. 55) entitled, an Act to repeal an Act to authorize certain Counties to fund their outstanding indebtedness.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

May 22, 1874.

The bill was read a second time by title.

On motion of Mr White,

The rules were further suspended, (two-thirds of the members present voting therefor,) and

The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	56.
Nays.	2.
Not voting:	24.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr J. P. Eagle,	Mr D. McQuire,
H. H. Arnold,	Mr. M. Ewin,	D. J. Montgomery,
H. H. Barton,	W. Foreman,	X. J. Pindall,
A. E. Beardsley,	J. M. Foster,	J. D. Preston,
W. A. Beasley,	L. D. Gilbreath,	W. H. C. Reid,
L. D. Brock,	J. M. Gist,	J. F. Smith,
J. P. Burton,	J. W. Gossett,	J. J. Sumpter,
W. P. Carter,	D. G. Hart,	J. M. Thompson,
David Chaudler,	Mr. E. Hawkins,	D. W. Thomason,
J. P. Chaplin,	Mr. Nixon,	L. L. Thompson,
Charles Coffin,	W. W. Hughes,	J. D. W. Diller,
J. D. Conway,	D. J. Hynds,	J. P. Venable,
J. Cleveland,	A. D. King,	John C. Walker,
P. H. Crowley,	L. L. Johnson,	J. F. Wheeler,
J. H. Cunningham,	A. Joyner,	A. J. Wheat,
F. Doswell,	P. H. Lester,	L. C. White,
L. W. Davis,	L. B. Mitchell,	Joseph Wright,
J. F. Davies,	William Murphy,	The Speaker,
Mr. M. Duffie,	W. D. McCallaw,	

Those who voted in the negative, are:

Mr C. C. Johnson, Mr J. C. Rollins.

May 22, 1874.

Those absent or not voting, are:

Mr J. A. Ansley.

C. E. Berry.

Thos. Barrow.

D. Bideuthal.

Neill Brown.

W. H. Cato.

A. W. Files.

D. M. Jacks.

A. R. Johnson.

B. W. Johnson.

J. E. Joslyn.

Mr R. Lee.

A. J. Marsh.

P. M^c Cowen.

Robert Polk.

H. M. Purefoy.

O. P. Richardson.

G. S. Scott.

P. H. Spears.

J. S. Stephenson.

S. L. Strong.

S. P. Sweepston.

Mr C. H. Jankensley.

J. H. Williams.

[Handwritten signature]

So the bill was passed.

By unanimous consent,

Mr Barton, introduced a bill (H. R. 56) entitled, an act authorizing Gas Companies to increase their Capital Stock.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Duffie,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Brock, introduced a bill (H. R. 57) entitled, an act to change the name of Howard County, to that of Mitchell.

Which was read a first time.

Mr Chaplin, moved, That the bill lie on the table.

Which was not agreed to.

Mr Chaplin, moved, that the further consideration of the bill, be indefinitely postponed.

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Which was not agreed to.

On motion of Mr Brock, the rules were suspended, (two-thirds of the Members present voting therefor) and

The bill was read a second time by title.

By unanimous consent,

On motion of Mr Mitchell,

the rules were further suspended. And,

The rules were

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass.

It was decided in the affirmative.

Yeas, - - -	59.
Nays, - - -	1.
Total Voting:	22.

Those who voted in the affirmative are:

Mr

O. P. Anderson,
H. H. Arnold,
H. H. Barton,
A. E. Beardsley,
W. A. Beasley,
D. D. Brock,
J. P. Burton,
W. B. Carter,
David Chandler,
J. P. Chapline,
Charles Coffin,
J. D. Conway,
J. Cleveland,
B. H. Crowley,
J. T. Cunningham,
F. Doswell,
L. W. Davis,
J. T. Davies.

Mr M. M. Duffie,
J. P. Eagle,
M. M. Erwin,
A. W. Giles,
W. Foreman,
J. M. Foster,
L. D. Gilbreath,
J. M. Gist,
J. W. Gossett,
D. G. Hart,
M. E. Hawkins,
M. Hixon,
W. W. Higbee,
D. J. Hynds,
A. D. King,
B. H. Johnson,
C. C. Johnson,
L. L. Johnson.

Mr R. Joyner,
P. K. Lester,
L. B. Mitchell,
William Murphy,
W. J. McClanahan,
B. McGuire,
D. J. Montgomery,
X. J. Pindall,
J. D. Preston,
W. H. C. Reed,
J. T. Smith,
J. J. Slaughter,
J. M. Thompson,
D. W. Thomason,
L. L. Thompson,
J. D. W. Diller,
J. P. Tevables,
John C. Walker.

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Mr J. F. Wheeler, A. J. Wheat, L. C. White, Joseph Knight, The Speaker.

Voting in the Negative: J. W. Williams.

Those absent or not voting; are:

Mr J. A. Ansley,	Mr J. E. Joslyn,	Mr J. C. Rollins,
C. E. Berry,	R. Lee,	G. S. Scott,
Thos. Barrow,	A. J. Marsh,	A. H. Spears,
D. Bidenthal,	P. M. Cowen,	J. S. Stephenson,
Neill Brown,	Robert Polk,	S. L. Strong,
W. H. Cate,	H. M. Purefoy,	S. P. Swepston,
J. M. Jacks,	O. P. Richardson,	C. W. Tankersley,
A. R. Johnson,		

So the bill was passed.

By unanimous consent,

On motion of Mr Reed,

The House

proceeded to consider the bill of the House (H.R. 50.) entitled, an Act to establish the lines between the Counties of Nevada and Columbia.

Which was read a third time and placed upon its passage.

Before the roll was called, By unanimous consent.

On motion of Mr Peasley,

The bill was re-committed to the Committee on Counties and County Lines.

By unanimous consent,

Mr Wheat, introduced a joint resolution (H. Jt. Res. 7.) a joint resolution providing, that in calling a Constitutional Convention to frame a new Constitution, it is the sense of the General Assembly that no distinction be made in the new constitution to be framed on account of race, color or previous condition of servitude, and that no measures be adopted of a proscriptive character.

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Which was read a first time.

By unanimous consent, under a suspension of the rules.

The joint resolution was read a second time.

By unanimous consent.

On motion of Mr Doswell,
The rules

were further suspended.

And,

The joint resolution was read a third time and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

Yeas,	60.
Nays,	None.
Not voting:	22.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr W. B. Duffie.	Mr R. Joyner.
H. H. Arnold.	J. P. Eagle.	A. K. Lester.
H. H. Barton.	W. B. Erwin.	L. B. Mitchell.
A. E. Beardsley.	A. W. Fites.	William Murphy.
W. A. Beasley.	W. Foreman.	W. J. McClellan.
D. D. Brock.	J. W. Foster.	B. M. Guire.
J. P. Burton.	L. D. Gilbreath.	D. J. Montgomery.
W. D. Carter.	J. W. Gist.	X. J. Pindall.
David Chaudler.	J. W. Gossett.	J. D. Preston.
J. D. Chapline.	D. G. Hart.	W. H. C. Ried.
Charles Coffin.	W. E. Hawkins.	G. S. Scott.
J. D. Conway.	W. Hixon.	J. W. Smith.
J. Cleveland.	W. W. Hughey.	J. J. Slaughter.
D. H. Crowley.	D. J. Hynds.	J. M. Thompson.
J. H. Cunningham.	A. D. King.	D. W. Thomas.
F. Doswell.	B. W. Johnson.	L. L. Thompson.
L. W. Davis.	C. C. Johnson.	J. D. W. Diller.
J. H. Davies.	L. L. Johnson.	J. P. Venable.

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Mr John C. Walker, Mr L. C. White
J. H. Wheeler, A. J. Wheat.

Mr Joseph Wright.
The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. H. Ansley,	Mr A. B. Johnson,	Mr O. P. Richardson.
C. E. Berry.	J. E. Joslyn.	J. C. Rollins.
Thos. Barrow.	R. Lee.	P. H. Spears.
D. Bridenthal.	A. J. Marsh.	J. S. Stephenson.
Neill Brown.	P. McCowen.	S. L. Strong.
W. H. Cato.	Robert Oalt.	S. P. Sweepston.
J. M. Jacks.	H. M. Purefoy.	C. W. Tankersley.
		J. W. Williams.

So the joint resolution was passed.

Then

On motion of Mr J. M. Thompson.

The House took a recess until 4 o'clock P.M.

After the Recess.

The House met at 4 o'clock P.M.

Under the order of business.

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R 43) entitled, an Act for the relief of purchasers of School Lands, reported the same, and recommended its passage.

On motion of Mr Pindall.
The bill just reported was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	46.
	Nays.	5
	Total Voting:	51.

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Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr Mo. Mo. Duffie,	Mr R. Joyner,
H. H. Arnold,	J. P. Eagle,	L. B. Mitchell,
H. H. Barton,	Mo. Mo. Erwin,	William Murphy,
W. A. Beasley,	A. W. Files,	B. McQuire,
D. D. Brock,	W. Foreman,	D. J. Montgomery,
J. B. Burton,	J. Mo. Foster,	X. J. Pindall,
W. D. Carter,	L. D. Gilbreath,	J. V. Preston,
W. H. Cato,	J. Mo. Gist,	H. H. C. Reed,
David Chandler,	J. W. Gossett,	J. F. Smith,
Charles Coffin,	D. G. Hart,	L. L. Thompson,
J. D. Conway,	Mo. E. Hawkins,	J. J. W. Diller,
J. Cleveland,	Mo. Nixon,	J. P. Venable,
B. H. Crowley,	W. W. Hughey,	John C. Walker,
L. W. Davis,	C. C. Johnson,	J. F. Wheeler,
J. F. Davies,	L. L. Johnson,	A. J. Wheat,
		Joseph Wright.

Those who voted in the negative, are:

Mr J. J. Cunningham,	Mr A. D. King,	The Speaker.
F. Dorwell,	P. K. Lester,	

Those absent or not voting, are:

Mr J. A. Beasley,	Mr D. W. Johnson,	Mr G. S. Scott,
A. E. Beardsley,	J. E. Joslyn,	P. H. Spears,
C. E. Berry,	R. Lee,	J. S. Stephenson,
Thos. Barrow,	A. J. Marsh,	S. L. Strong,
D. Bridenthal,	W. J. McClellan,	J. J. Sumpter,
Neill Brown,	P. Mo ^c . Cowen,	S. P. Swepton,
J. B. Chapline,	Robert Polk,	J. M. Thompson,
D. J. Hynds,	H. M. Purefoy,	D. W. Thomason,
D. M. Jacks,	O. P. Richardson,	C. W. Tankersley,
A. R. Johnson,	J. C. Rollins,	L. C. White,
		J. W. Williams.

So the bill was passed.

By unanimous consent, Mr Wheat from the Committee on Militia

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to whom was referred the joint resolution of the House, (H. Jt. Res 4) a joint resolution tendering thanks of the General Assembly to officers and soldiers of the State Militia, reported the same, and recommended a substitute therefor, entitled, a joint resolution tendering the thanks of the General Assembly to Gen. Robert C. Newton, and other officers and soldiers of the State militia, for their efforts in maintenance of the lawful State Government.

The report of the Committee was adopted.

And

The Substitute was accordingly adopted in lieu of the original joint resolution.

By unanimous consent,

Mr Davis, introduced a bill (H. R. 58) entitled, an act to change the name of Dorsey County.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr Reid, was referred to the Committee on Counties and County Lines.

A message from the Senate, by Mr Orrick their Secretary.

Senate Chamber.

Little Rock, Ark. May 22, 1874.

Mr. Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of House Bill No. 32, entitled, an act regulating the time of holding the Cir. Court in the County of Stone.

Also, of House Bill No. 19, entitled, an act to remove the Co. seat of St. Francis County.

Also, of House Bill No. 31, entitled, an act making an appropriation to pay the contingent expenses of the General Assembly.

Also, of House Joint Resolution No. 5, providing

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for the appointment of a Joint Committee to ascertain who was in charge of and responsible for sinking the Steamer "Hallie", and herewith respectfully return the same.

I am also instructed by the Senate to inform your honorable body of the passage by the Senate of Senate Bill No. 11, entitled a Bill to be entitled, an act to repeal an act amendatory of and supplementary to an act entitled, an act to provide for clerks of Circuit Courts in certain Counties, and define their duties.

Also, of Senate Bill No. 16, a bill to be entitled an act to relieve the Citizens of Cross County. Also, of Senate Bill No. 15, entitled, a bill to be entitled, an act supplementary to & amendatory of an act providing for a Convention of the People of the State of Arkansas, to frame a new Constitution; and herewith respectfully transmit the same for your favorable consideration.

Also, of the passage by the Senate of the following resolution.

Resolved, That a Committee of three on the part of the Senate be appointed by the chair, to act with a like Committee on the part of the House, of Representatives to be appointed by the chair, as a joint committee to hear and report on the testimony in the case of J. R. Berry vs. Stephen Wheeler, in a contest for the office of Auditor of State, and that said Committee be empowered to send for persons and papers; and that Senators Mc Cabe, Jones & Mc Chesney, have been by the Senate appointed on said Committee.

W. W. Orrick, Secretary.

By unanimous consent,

Mr. Davies introduced a joint resolution (H. J. Res. 8.) a joint resolution tendering the thanks of the General Assembly, of the State of Arkansas, in behalf of the people, to U. S. Grant, President.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The joint resolution was read a second time.

And,

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By unanimous consent,

On motion of Mr Davies,

the rules were fur-

ther suspended,

And

The joint resolution was read a third time and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

{	Yeas.	44.
	Nays.	7
	Not Voting:	31.

Those voting in the affirmative, are:

Mr O. P. Anderson.	Mr W. M. Ewin.	Mr L. P. Mitchell.
W. H. Arnold.	A. H. Files.	William Murphy.
A. H. Barton.	W. Foreman.	W. J. M. Clellan.
W. H. Beasley.	J. M. Gist.	B. McQuire.
D. D. Brock.	J. W. Gossett.	D. J. Montgomery.
J. B. Burton.	D. G. Hart.	W. H. C. Reid.
W. B. Carter.	Mr. E. Hawkins.	J. T. Smith.
David Chandler.	Mr. Nixon.	J. J. Sumpter.
Charles Coffin.	W. W. Hughey.	J. D. W. Diller.
J. D. Conway.	A. D. King.	J. P. Venable.
J. Cleveland.	B. W. Johnson.	John C. Walker.
F. Doswell.	C. C. Johnson.	A. J. Wheat.
L. W. Davis.	L. L. Johnson.	L. C. White.
J. F. Davies.	R. Joyner.	The Speaker.
W. M. Duffie.	P. K. Lester.	

Those who voted in the negative, are:

Mr J. D. Cunningham	Mr D. J. Hynds.	Mr G. S. Scott.	Mr J. T. Wheeler.
L. D. Gilbreath.	X. J. Pindall.	L. L. Thompson.	

Those absent or not voting, are:

Mr J. A. Ansley, A. E. Beardsley, C. E. Berry, Wm. Barrow, D. Bidenthal, Wm. Brown, W. H. Cate, J. B. Chaplin, B. H. Crowley, J. P. Eagle, J. M. Foster, T. M. Jones.

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Mr A. R. Johnson, J. E. Joslyn, R. Lee, A. J. Marsh, P. M. Cowen, Robert Peck,
J. I. Preston, H. M. Purefoy, O. P. Richardson, J. C. Rollins, P. H. Spears, J. S.
Stephenson, S. L. Strong, S. P. Sweetston, J. M. Thompson, J. W. Thomason, C. W.
Dankersley, J. W. Williams, The Speaker.

So the joint resolution was passed.

By unanimous consent,

Mr Venable, introduced a bill (HR 59) entitled
an act to repeal an Act entitled, an Act to remove the County seat of
Conway County.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

And,

On motion of Mr Davies,
Was referred to the Committee on Counties and
County lines.

By unanimous consent,

Mr Doswell, introduced a bill (HR 60) en-
titled, an Act to change the boundary lines between the Counties of
Lawrence and Craighead.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

And

On motion of Mr Walker,
Was referred to the Committee on Counties
and County Lines.

By unanimous consent,

Mr Smith, introduced a Concurrent resolution
(H. Con. Res. 4.) a concurrent resolution providing for the adjourn-
ment of the General Assembly, sine die, on Monday May 25, 1874.

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Which was read a first time.

By unanimous consent.

Mr Reid, from the Committee of Ways and Means, instructed to confer with Maj. Gen. Churchill, and see if the lumber lately used by the insurgents against the lawful Government of the State, is the property of the same, and if so, to take legal steps to dispose of it, by bill or otherwise; submitted the following report and accompanying communications, which were read, viz:

Mr Speaker:

Your Committee on Ways and Means, to whom was referred a motion in regard to lumber, beg leave to submit the following:

That they have waited on Maj. Gen. Churchill, and received communications herewith annexed.

W. H. C. Reid, Chairman.

Head Quarters Arkansas State Guards.

Little Rock, Ark. May 22. 1874.

To Hon W. H. Reid.

Chairman Com.

Sir.

In reply to a resolution of the House of Representatives, of this date, in regard to the claim of Messrs Cook, Gibb & Co. for lumber taken from them by the insurgents. I have the honor to enclose herewith, the statements of the members of said firm in regard thereto, with the recommendation if said property was taken from them by force and under their protest, that their property be restored to them.

Very Respectfully
Yours Obt. Serv.

D. J. Churchill.

Maj. Genl. Commanding.
Arkansas State Forces.

Little Rock Ark.

May 22. / 74.

Sir:

The accompanying request is respectfully returned with papers.

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statements, as directed by you. Hoping that the matter will receive your earliest and favorable attention.

I am Resp.

W. C. Ratcliffe

Atty for Cook, Gibb & Co.

To

Maj Genl. D. J. Churchill

Comdg. Ark State Guards.

With reference to statements "A," "B" & "C" of E. W. Gibb, Geo M. Lean, & H. T. Gibb.

To Col. J. A. Slaughter,
Sir,

The undersigned respectfully ask that you direct that the lumber now in your possession in the State House yard and surrounding, used by the late insurgents, be turned over to us and present following reasons:

1. Because the same is our property, and is not now, nor never was the property of the said insurgents.
2. Because said property was taken from us by said insurgents by force and without our consent, and under our protest.

Respectfully,

Cook Gibb & Co.

May 21 (74.

W. C. Ratcliffe,

Atty.

Head Quarters Ark State Guards.
Little Rock, May 21, 1874.

Returned disapproved. The request contained within, cannot be complied with.

By order of Maj. Genl. D. J. Churchill.

Comdg. Ark. State Guards.

A. Belding.

Col. & A. A. Genl.

This is to certify that J. E. W. Gibb, Salesman for Cook, Gibb & Co. was on the 16th or 17th of Apr. 1874. ordered by armed forces, with threats of imprisonment in case of refusal, to deliver such lumber as they might want to use in aid around the State House. I refused to comply with the demand, and informed them that anything taken

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from our premises would be under protest. Whereupon, they seized our teams & with their forces carried such lumber in to the State House yard and elsewhere, as they pleased. At three different times I was compelled by armed forces to deliver them lumber, with threats of arrest and seizure of our whole mill. Afterwards, I did not attempt to resist their taking anything if they would allow me to select the kinds we could best spare & to measure the same. Large quantities were taken in the night and on my missing the same, enquired of parties amount taken. I was in the State House yard only twice and then for the purpose of measuring lumber taken from our yard. I was also on the river bank while Boats were arriving & departing with armed men, and gave orders in connection with H. J. Gibb, where the Boats could best land with safety to our rafts, which were in danger of being broken away. I did not give my consent to any person for Boats to land opposite our premises.

E. M. Gibb.

Dated Little Rock, Ark.

May 22, 1874.

I, George M. Lean, Book Keeper for Cook, Gibb & Co., make the following statement about the lumber in and about the State House, and on the Benjamin Block:

I was told by the parties taking an active part in putting up breastworks, barracks, stockades &c. and seeming to have command that Cook, Gibb & Co. must furnish such lumber as was required and that they would take it whether they (C. G. & Co.) consented or not.

Said parties did take it from Mr E. M. Gibb, from H. J. Gibb & from myself at different times and always under protest.

I have at different times directed them as to what piles they should take - doing this for the purpose of saving our first quality lumber and having them take the cheaper.

I have gone to their different offices and talked with them about what right they had to do as they were, and was told they took to themselves the right of taking all that they required and would continue to do so - that I had best accept the situation and keep cool, as it would be best for me and Cook, Gibb & Co.

George M. Lean.

Little Rock, Ark.

May 22nd 1874.

The firm of Cook, Gibb & Co. consists of H. J. Gibb, Administrator of O. P. Cook, deceased, H. J. Gibb & Ronald J. McDonald.

George M. Lean.

May 22, 1874.

J. H. O. Gibb, of the firm of Cook, Gibb & Co. make statement as follows:

On or about April 17, 1874, I saw a number of armed men taking Lumber from our yard and making Breastworks at the north west corner of the State House.

I asked who that Lumber was for and who was going to pay for it. They answered, - the State. I asked who gave orders for it. They answered Gov. Brooks. I told them I did not know any Gov. Brooks - that I must have pay for my Lumber - They then told me that they had orders to take any and all Lumber they wanted and ordered me to stop the Mill, and put all the men & teams at work delivering lumber to them - the teams hauled the Lumber under protest. Knowing they would stop the mill and put an armed guard in it, if I did not allow the teams to haul for them. They went to our Store House & took what nails, axes, hammers & saws, all by force of arms - Sunday morning they broke into our Watchman's room, and took two double barrelled Shot guns belonging to him.

At different times I was on the River when Boats were landing at our mill. I went to see that they did not tie their ropes to the Rafts, that would break away. Also to see that they did not get the best Lumber, to put on the Logs - as they did in one case and I had it taken back. I never gave my permission to land boats at our logs, and was there only for the purpose of protecting our Logs & Lumber.

My sole business in and around the State House was to get a measurement of the Lumber taken and to protect our interests in said Lumber.

Little Rock Ark, 5

H. O. Gibb.

May 22, 1874. 3

By unanimous consent,

Mr Davis, from the Committee on State Lands, submitted the following report, which was read, viz:

Mr Speaker:

Your Committee to whom the matter of investigating the affairs of Commissioners of public lands was referred, would respectfully submit:

That your Committee was kindly shown through said office by Mr John Ingram, who has been in the office as Clerk. We found the safe of said office locked, and the key taken off by the Finance Clerk, who has gone to Washington City, on a visit. Your Committee would further report that from the best information

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that we could gather, there are a great many irregularities in said office. In this for one, among many others; that a person making application to enter land, if he discloses that the land is valuable, he is told that the land is entered; and further would report, that there are now large quantities of land being sold for what is known as Levee Bonds, to Land Speculators. Some parties buying as much as one hundred thousand acres, and paying for the same in the above described funds; which funds your Committee are of the opinion, have been created without any authority of law - and beg leave to introduce a bill herewith, entitled an Act to prevent the Commissioner of Public Lands, from receiving what is known as Levee Bonds, in payment of said land belonging to the State of Arkansas.

Davis, of Pope
Chairman.

Whereupon,

Mr Davis, from the Committee on State Lands, introduced a bill (H. R. 61.) entitled, an Act to prevent the Commissioner of State Lands, from receiving what is known as Levee Bonds, in payment of State Lands.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And,

On motion of Mr Davis,

Was referred to the Committee on State Lands.

By unanimous consent,

Mr Nixon, introduced a bill (H. R. 62.) entitled, an Act to authorize the location of the County seat of Barber County.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr L. L. Thompson, Was referred to the Committee on Counties and County Lines.

May 22, 1874.

By unanimous consent,

On motion of Mr Reed,

The House passed to the consideration of the following resolution of the Senate, which was read and adopted, viz:

Resolved, That a Committee of three on the part of the Senate, be appointed by the Chair, to act with a like Committee on the part of the House of Representatives to be appointed by the Chair, as a joint Committee to hear and report on the testimony in the case of J. R. Berry, vs Stephen Wheeler, in a contest for the office of Auditor of State; and that said Committee be empowered to send for persons and papers.

The Speaker, subsequently appointed as such Committee, on the part of the House, Mr W. H. C. Reed, Charles Coffin and J. B. Burton.

By unanimous consent,

Mr L. L. Johnson, from the Committee on agriculture to whom was referred the bill of the House (H.R. 41.) entitled, an Act to repeal an Act entitled, an Act prescribing the penalty for neglecting to make fences and enclosures in conformity to existing law; reported the same and recommended its passage.

By unanimous consent,

On motion of Mr Gist,

The bill last reported was read a third time, and placed upon its passage.

After debate,

The question being put: Shall the bill pass?

It was decided in the affirmative.

Yeas.	42.
Nays.	15.
Not Voting.	25.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr W. B. Carter.	Mr J. D. Conway.
W. A. Beasley.	David Chandler.	J. Cleveland.
D. D. Brock.	J. B. Chapline.	B. H. Crowley.
J. B. Burton.	Charles Coffin.	J. H. Cunningham.

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Mr F. Roswell,	Mr M. E. Hawkins.	Mr J. D. Preston.
L. W. Davis.	W. W. Hughes.	W. H. C. Reed.
J. P. Eagle.	D. J. Reynolds.	G. S. Scott.
A. W. Files.	J. B. Johnson.	J. F. Smith.
W. Foreman.	L. L. Johnson.	J. J. Sumpter.
J. M. Foster.	A. H. Lester.	J. O. Venable.
L. D. Gilbreath.	William Murphy.	John C. Walker.
J. M. Gist.	W. D. McClellan.	J. G. Wheeler.
J. W. Gossett.	D. J. Montgomery.	Joseph Wright.
D. G. Hart.	L. J. Pindall.	The Speaker.

Those who voted in the negative, are:

Mr H. A. Arnold.	Mr A. D. King.	Mr J. W. Thomason.
J. D. Davies.	C. C. Johnson.	L. L. Thompson.
Mr. Mr. Duffee.	L. B. Mitchell.	J. J. W. Miller.
Mr. Mr. Erwin.	D. McQuinn.	A. J. Wheat.
Mr. Nixon.	J. M. Thompson.	L. C. White.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. M. Jacks.	Mr H. M. Purefoy.
H. H. Barton.	A. R. Johnson.	O. P. Richardson.
A. E. Beardsley.	J. E. Joslyn.	J. C. Rollins.
C. E. Berry.	R. Joyner.	R. H. Spears.
Thos. Barrow.	R. Lee.	J. S. Stephenson.
D. Bridenbath.	A. J. Marsh.	S. L. Strong.
Neill Brown.	P. McCowen.	S. P. Swepston.
W. H. Cate.	Robert Polk.	C. W. Tautkensley.
		J. W. Williams.

So the bill was passed.

Mr. Reed, moved that leave of absence be granted to Mr J. Cleveland, for five days.

Which was not agreed to.

By unanimous consent,

On motion of Mr Walker, The House

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to the consideration of the bill of the Senate, (S. 11.) entitled, an act, to repeal an act entitled, an act amendatory of, and supplementary to an act entitled, an act to provide for Circuit Clerks in certain Counties, and define their duties.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

Mr Walker moved, that the rules be further suspended and that the bill be read a third time.

Which was not agreed to, (two-thirds of the members present not voting therefor.)

By unanimous consent,

On motion of Mr Pindall,

The Speaker, was authorized to appoint a select Committee of three, to wait upon and notify the Senate, that the Governor desires to submit a special message to a joint session on tomorrow morning at 10 1/2 o'clock, and ask the concurrence of the senate to the joint session.

The Speaker, appointed as such Committee, Mr X. J. Pindall, B. M. Guire and J. W. Thomason.

By unanimous consent,

On motion of Mr Sumpster,

The House passed to the consideration of the bill of the Senate (S. 16.) entitled, an act to relieve the citizens of Cross County.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

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On motion of Mr Supter,

Was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Mitchell, introduced a bill (H. R. 63) entitled, an act to clear up the title to, and to provide for the assessment and collection of taxes on certain lands.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And

On motion of Mr McCallaw,

Was referred to the Committee on State Lands.

Under the order of business,

On motion of Mr White, The Select Committee on Impeachment, was authorized to employ a Clerk and the Committee granted leave to sit during the session hours of the House.

By unanimous consent,

Mr Erwin, introduced a joint resolution (H. J. Res. 9) a joint resolution allowing mileage to certain officers of the General Assembly.

Which was read a first time.

By unanimous consent,

Mr Mitchell, introduced a bill (H. R. 64) entitled, an act to make an appropriation to pay the officers and members of the General Assembly.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

And,

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On motion of Mr Doswell,

and Means. Was referred to the Committee of Ways

By unanimous consent.

Mr Erwin, introduced a bill (H. R. 65.)
entitled, an Act to ^{repeal any Act entitled an Act, to} provide for adding territory to Cities of
the first class.

Before the bill was read,

On motion of Mr Sumpter.

The House at 5 o'clock and 45 minutes P.M. adjourned.

Approved:

Chas C Riick.

Clerk of the House.

James H. Berry
Speaker of the House.

House of Representatives.Saturday, May 23. 1874.

The House met at 10 o'clock A.M.

The Roll being called, it appeared that the following named members were present, and answered to their names, viz:

Mr O. P. Anderson,	Mr M. M. Erwin,	Mr A. J. McClellan.
H. H. Arnold,	A. W. Files.	D. M. Guire.
H. H. Barton,	W. Foreman,	D. J. Montgomery.
A. E. Beardsley,	J. M. Foster,	X. J. Pindall,
W. A. Beasley,	L. D. Gilbreath,	J. D. Preston,
D. D. Brock,	J. M. Gist,	W. H. C. Reid,
J. B. Burton,	J. W. Gossett,	G. S. Scott,
W. D. Carter,	D. G. Hart,	J. F. Smith,
David Chandler,	Mr E. Hawkins,	J. M. Thompson,
J. P. Chaplin,	Mr Hixon,	D. W. Thomason,
Charles Coffin,	W. W. Hughey,	L. L. Thompson,
J. D. Conway,	D. J. Hynds,	J. D. W. Tiller,
J. Cleveland,	A. D. King,	J. P. Venable,
D. H. Crowley,	P. W. Johnson,	John C. Walker,
J. F. Cunningham,	C. C. Johnson,	J. D. Wheeler,
F. Dosewell,	L. L. Johnson,	A. J. Wheat,
L. W. Davis,	A. Joyner,	L. C. White,
J. F. Davies,	P. K. Lester,	Joseph Wright,
Mr M. Duffie,	L. B. Mitchell,	The Speaker.
J. P. Eagle,	William Murphy,	

Prayer by the Chaplain, *pro tempore*.

The Journal of Friday, was read and approved.

Mr S. O. Sweepston, a member elect from the Ninth District appeared, and having taken the oath of office, took his seat within the bar of the House.

Mr Duffie, submitted the following report of the Sergeant at Arms, in response to the order of the House instructing the Sergeant at Arms to furnish the House with a statement of

May 23. 1874.

expenses incurred in fitting up the Halls for the use of the House of Representatives, which was read, viz:

Hall of Representatives;
May 23. 1874.

Hon. House of Representatives:

Gentlemen:

In obedience to your instructions to furnish with the cost of fitting temporary Hall, and the fitting of the Hall of the House of Representatives for the use of the present session of your Honorable body, I have the honor to state that the expense for temporary Hall, repairing Desks, furnishing Locks, Clearing up and Plastering Curtains and Carpeting, replacing missing furniture, and Carpenter work; both Halls included, that is to say, the fitting up of temporary Hall and the regular Hall, amounts to Seven Hundred and twenty-five dollars, in currency, which computed in State scrip, four for one, amounts to Twenty-three Hundred Dollars. The labor performed and the materials furnished was contracted for by me, at current rates, and on the most economical basis, no party charging more than cash prices, under the promise of being paid in current funds. All of which is respectfully submitted.

J. P. Bond,
Sergt. at Arms.

On motion of Mr Dillar,

Ordered, That the Speaker of the House be instructed to approve and sign a certificate in favor of the Sergeant at Arms of the House, for the amount expended in fitting up the Halls for the House of Representatives.

By unanimous consent,

Mr Sumpster introduced a bill (H. R. 66) entitled, an Act for the relief and indemnification of the Concordia Association of the City of Little Rock, for losses sustained during the armed insurrection against the State Government.

Which was read a first time.

Mr Sumpster moved that the rules be suspended, and that

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the bill be read a second time.

Which was not agreed to, (two-thirds of the members present not voting therefor.)

By unanimous consent,

Mr Erwin, from the Committee on Counties and County Lines, to whom was referred the bill of the House (H. R. 62.) entitled, an Act to authorize the location of the County seat of Sarber County, reported the same and recommended its passage.

Also, from the same Committee, to whom was referred the bill of the House, (H. R. 53.) entitled, an Act to authorize the People of Izard County to remove their County seat, reported the same, and recommended its passage.

Also, from the same Committee, to whom was referred the bill of the House (H. R. 50) entitled an Act to establish the lines between the Counties of Nevada and Columbia, reported the same, and recommended a Substitute therefor, of similar title.

By unanimous consent,

The report of the Committee last submitted was adopted.

And

The Substitute was accordingly adopted in lieu of the original bill.

By unanimous consent,

Mr Chapline, introduced a bill (H. R. 67.) entitled, an Act to provide for and fix the salaries of assessors in the several Counties in this State.

Which was read a first time.

On motion of Mr Chapline, the rules were suspended (two-thirds of the members present voting therefor.)

The bill was read a second time, by title. And,

By unanimous consent, Was referred to the Committee of Ways and Means.

May 23. 1874.

By unanimous consent.

On motion of Mr Walker.

The House passed to the consideration of the joint resolution of the Senate (S. Jt. Res. 1.) a joint resolution providing for the adjournment of the General Assembly, sine die, on the 28.th of May 1874.

Mr Walker moved, That the joint resolution be read a third time and placed upon its passage.

Which was not agreed to.

By unanimous consent, Mr Carter introduced a bill (H. R. 68.) entitled, an Act to define the County lines of Lenoire, Pulaski and Faulkner Counties.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

And

On motion of Mr L. L. Thompson.

Was referred to the Committee on Counties and County Lines.

By unanimous consent.

Mr Coffin, introduced a bill (H. R. 69.) entitled, an Act for the relief of John Myers.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

And

On motion of Mr Coffin.

Was referred to the Committee of Ways and Means.

Mr Doswell, Submitted the following resolution, which was read, Viz:

May 23, 1874.

Resolved. By the House of Representatives, that this House will refuse to consider special and local bills, until all bills of a general nature be disposed of.

Mr White, moved that the resolution be amended to read "that no bills of a local or private nature, be introduced after to day."

Which was not agreed to. The original resolution was then adopted.

Mr Sist, moved, that Cook, Gibb & Co, and all others be authorized to remove any lumber in and around the State House, which they had furnished the "Brooks" forces.

The Speaker, ruled the motion not in order, as it would require the passage of a joint resolution by both Houses, for the General Assembly to grant such authority.

By unanimous consent, Mr Duffie, presented the petition of John H. S. Young, and other citizens of Saline County for the passage of an act to change the lines between the Counties of Saline and Pulaski.

Which

Was referred to the Committee on Counties and County Lines.

Under the rule.

Mr B. W. Johnson, from the Committee on Enrolled Bills, reported correctly enrolled, the bill of the House (H. R. 31.) entitled, an Act making an appropriation to pay the contingent expenses of the General Assembly of the State of Arkansas:

Also the bill of the House (H. R. 32.) entitled, an Act regulating the time of holding the Circuit Court in the County of Stone.

Also, the bill of the House (H. R. 33.) entitled an Act to authorize the Auditor of State to draw his warrant on the Treasurer of State for the funds appropriated for School purposes.

By unanimous consent, Mr B. W. Johnson, from the Select Committee

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appointed to ascertain and report the amount of funds now in the Treasurer's office, submitted the following report, which was read, viz:

Mr Speaker:

Your Committee appointed specially to examine and report the amount of funds, and the kind thereof, now in the Treasury of State, would report that as yet they have been able to find no one whom they could recognize as Treasurer, that they used the corps of Clerks employed by the Senate Committee on "Auditors and Treasurers Book", but still could get no reliable information. That from the best information they could obtain, the said office is in the greatest confusion, no one seeming to know how much funds there are on hand, nor the kind, nor to what department of the Government they belong. That they see no way of their obtaining any reliable information for some time to come. That your Committee called upon Mr Henry Page, former Treasurer, for information, who informed your Committee, among other things, that there were but few funds of any kind in the Treasury, and when asked specially, if there were any funds in the Treasury belonging to the School fund, he replied that so far as Currency was concerned there was not so much as would be sufficient to buy a gun.

The premises considered your Committee would ask that the Committee of this House on Auditors and Treasurers Books attend to their duty and that your Committee be discharged.

I. D. W. Johnson, Chairman.

The report of the Committee was adopted.

And

The Committee on Auditors and Treasurers Books, were accordingly instructed to continue the investigation, and the Select Committee were discharged.

Mr Wheat, sent to the Clerk's Table, the following communication from Mr W. W. Hughes, and asked that it be spread upon the Journal, viz:

Mr Speaker:

As I was unavoidably absent from the House when the bill to provide for a Constitutional Convention was

May 23, 1874.

under consideration, and as it is a measure that meets my approval, I would respectfully ask that the Journals of this House show that I fully acquiesce in the measure.

H. H. Hughey.

Rep of Bradley County.

On motion of Mr Sumpster.

The select Committee appointed for that purpose, were instructed to wait upon and notify the Senate of the readiness of the House to receive the Senate, in joint session, for the purpose of receiving a special message from the Governor.

On motion of Mr White.

The House took a recess for five minutes.

The House being called to order.

A Joint Session of the two Houses of the General Assembly.

The Senate preceded by their officers, appeared within the bar of the House, and were seated - the Lieutenant Governor in the Chair.

By direction of the Lieutenant Governor.

The roll of the Senate was called by the Secretary of Senate - and the roll of the House of Representatives, by the Clerk of the House, when it appeared, that a quorum of both Houses were in the Convention.

A message from His Excellency the Governor, by Gen. M. C. Canany, his private secretary.

Executive Office.

State of Arkansas.

Little Rock, May 23, 1874.

Gentlemen of the Senate and
House of Representatives.

I respectfully call your attention to the great evils growing out of the fact that civil officers of the State who have given their allegiance to an attempted and bloody usurpation of the State Government, are still presuming to exercise

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their civil functions, which cannot but tend to promote disorder, distrust and possibly further civil commotion.

I most earnestly recommend that prompt and efficient action be taken by your honorable bodies, to ascertain all the civil officers of the State, who have been engaged in the late insurrection and have been guilty of overt acts amounting to treason, against the State, and that you take such action as will suspend them from office; and at least prevent them from longer exercising any of the functions of such offices. No such persons should be allowed to take any part in the government of this State until the sovereign people have had an opportunity of rendering judgment in their cases. Owing to the unmistakable evidences of corruption & unrestrained party zeal manifested for the past several months on the part of the Circuit Courts of the State, with but few exceptions, and as we all know that from this cause our State was plunged into the late anomalous & unsightly attitude before the world, I recommend the passage of a law abolishing the terms of such Courts from this day until the meeting of the Convention in July next.

I also respectfully call the attention of your honorable bodies to the necessity in strict justice to yourselves and the honest men who regardless of their private interests rallied so promptly to the defense of the State Government, and so faithfully performed the arduous duties of their respective positions under most discouraging circumstances, of providing for their pay, subsistence and allowances of the several officers and men of the Arkansas State Guards, called into service on and after April 15th 1874, and recommend that a sufficient amount of money be appropriated to discharge all the liabilities of the State for military purposes above referred to, as well as for the payment of all the ordinance stores purchased by or furnished to the State during the late insurrection.

I recommend in the same connection that provisions be made on the same footing as for the military expenses, for the payment of the expenses of the present session of the Legislature and for payment and reimbursement of the able and efficient counsel who have been employed by the executive to supply the place of the Attorney General, who was in the insurgents' camp and also to represent the rights and interest of the State in Washington, during the great crisis just passed so happily through. No precise estimate of the expenses of the war can be made

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before the probable time contemplated by you for your adjournment; estimates as accurate as the nature of the case will allow, will be promptly prepared by the proper officers and communicated to you herewith.

I would suggest in regard to the means of payment of the expenses above referred to, that to use the currency collected for the taxes of the year 1873. for the payment of interest on the public debt, in any other manner, would be a palpable violation of the present Constitution, as it was collected for a specific purpose, and more especially as it would set a bad precedent for the future; for no financial policy can be properly carried out, without an absolute provision for the payment of the Interest on the obligations of the State; which interest must be raised by a specific tax in currency, and used for no other purpose.

Besides this no one can desire that our present or any future Legislature should act in worse faith, than any of our previous ones; under radical rule have ever done.

It is suggested that the State issue bonds for an amount sufficient to cover the estimates, redeemable at its pleasure after the expiration of five years from date, and payable in United States currency at ten years after date, with interest in United States currency at ten per cent per annum, payable annually; said bonds to be of the denomination of \$100. and \$500. each, to be free from all taxes whatever, and all dated July 1st 1874.

That the prompt payment of the interest shall be assured beyond question, by such Legislative enactments, as will satisfy the people generally that they are sure of the collection of their Interest when due, without any delay whatsoever.

To meet fractional amounts under One Hundred dollars, a specific issue of certificates of indebtedness convertible into said bonds in sums of one hundred dollars or its multiple.

Presuming that the first three months of the year is the best time for the collection of taxes and that the Sheriffs will be required to make settlement for the same by or before the middle of June, the 1st of July has been selected as the proper date of the bonds, and as we collect taxes but once a year, so the payment of the interest should be annually only.

With regard to the future financial policy of the State, it is generally conceded that the issue of Scrips by the State, Counties or Cities has proved to be one of the most fruitful sources of fraud and distrust & their future issue should be prohibited.

As the subject is one of the most important with which we have to deal; It is suggested that a Committee of the best financial men.

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of our City or State, to be selected by you, and during the month of June, after mature deliberation, prepare for and submit to the constitutional convention, for their action, such financial policy for the future government of the State, as they may deem best; such Committee to have full power to obtain any and all information on the subject of the State finances, as they may require; such provisions to be made in the selection of said Committee as will insure the services of the best talent to be obtained.

I desire also, to call attention to the fact that in pursuance to the law I have from time to time offered rewards for the apprehension of criminals which in numerous cases have led to their arrest, and I have been unable to pay the same, for the want of an appropriation for the purpose.

I am also, informed, that the appropriation made for the payment of the Clerks employed in the several departments has been exhausted, and that they have for some time past been paid under statutes which are at least of doubtful validity. I would invite your attention to a proper provision for this purpose.

Finally, it has been suggested to me upon the best authority, that there is a necessity in connection with the late military operations for a contingent fund, for purposes which cannot properly be embraced in the estimate herewith submitted, and I call your attention to the subject as one properly within your discretion; and I would recommend that the provision for all these objects should properly be made under the same financial scheme suggested for the payment of the first named liabilities of the State.

The army summoned from the avocations of civil life, for the emergency, are being disbanded as quickly as the public security will allow to save the State from the possibility of further disturbances by the desperate conspirators from whose machinations we have just escaped. I have authorized the enlistment in the service of the State of two Companies of sixty men each, with the usual officers, to be kept upon regular duty to protect the Capitol, and preserve the peace until the Government of the State can be reorganized upon the new basis contemplated in the calling of a Constitutional Convention.

I would ask that provision be made for their maintenance in the same manner as the other war expenses are paid.

These liabilities of the state to the liquidation of which your attention is hereby called, are greatly to be deplored, in the impoverished condition of our Country, but they are the price we must pay for the

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inestimable blessing of civil liberty, now for the first time in so many years, secured to the people of Arkansas; and it is only right and just that they should be borne by the whole people, for whose benefit the expense has been incurred - and not by those individuals on whom the first weight has fallen - and who have so patriotically borne the same.

Elisha Baxter,

Governor of Arkansas.

Head Quarters State of Arkansas.

Adjutant General's Office.

Little Rock, May 23, 1874.

To His Excellency,

Elisha Baxter,

Governor of Arkansas.

Governor.

In compliance with your request, I have the honor to report that from all the information which I have been able to obtain from official and other sources I find the following to be the most correct estimate of the expenses incurred on account of military operations during the recent troubles, viz:

For the pay of Officers, Men and Employees -	\$70,000.00
" " Subsistence of " " "	40,000.00
" " Expenses of the Quarter Master's Department.	20,000.00
" Cost of Transportation.	30,000.00
" " " Ordnance and Ordnance Stores.	30,000.00
" Contingent expenses including money borrowed laid out and expended.	60,000.00
Making a total of:	<u>\$250,000.00</u>

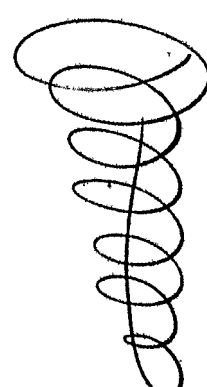
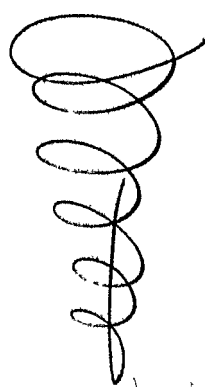
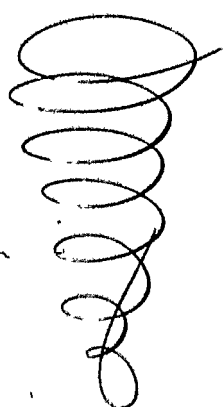
I remain Governor

Very Respectfully

Your Obedient Servant.

M. M. Conway,

Adjutant General.



May 23. 1874.
 Headquarters, Middle Division A. S. S.
 Little Rock, May 22. 1874.

His Excellency
 Elisha Baxter.

Governor of Arkansas + Commander in Chief.
 Gov.

In response to your communication of this date requesting information as to the expenses incurred for the pay, subsistence, ordnance and other branches of the military departments of the State, during the late disturbances, I have the honor to submit the following estimates:

For the pay of Officers men and Employees.	\$60,000.00
For the Subsistence Department.	50,000.00
For the Gr. M. Department, (including Transportation)	70,000.00
For the Ordnance Department.	30,000.00
For Contingent expenses, errors &c	20,000.00
Total amount:	<u>\$300,000.00</u>

It is impossible to make these estimates upon exact data at the present time, owing to the scattered condition of the troops and the large extent of territory in which liabilities were incurred for defraying the expenses of recruiting, subsisting men and transporting men and materials. In my opinion, however, from all the information at my disposal, an appropriation of a less amount than that indicated, would be inadequate and unjust: and fail to discharge the obligations which the State owes to its gallant citizen-soldiers, and those who have so cheerfully and manfully responded to the call upon their patriotism.

I have the honor to remain Gov.

Very Respectfully,

Your obedient Servant.

D. J. Churchill.

Maj. Genl. Comdg.

Then,

On motion of Mr Chapline, The Convention adjourned.

The Speaker having resumed the Chair.

On motion of Mr B. W. Johnson,

Ordered, That Two Thousand copies of the Governor's Special Message, be printed for the use of the House.

May 23, 1874.

By unanimous consent.

On motion of Mr M. C. Clellan.

This House proceeded to consider the bill of the House (H. R. 48.) entitled, an Act to provide for the settlement of the collectors of revenue, for the revenue collected by them in the year 1874.

Which was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	56.
Nays	3.
Not Voting:	23.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
 H. H. Arnold,
 H. H. Barton,
 A. E. Beardsley,
 W. H. Beasley,
 D. D. Brock,
 J. B. Burton,
 W. B. Carter,
 David Chandler,
 J. B. Chaplin,
 J. D. Conway,
 B. H. Crowley,
 J. F. Cunningham,
 F. Doswell,
 L. W. Davis,
 J. H. Davies,
 J. P. Eagler,
 M. M. Erwin,
 A. W. Files.

Mr W. Foreman,
 J. M. Foster,
 L. D. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. G. Hart,
 M. E. Hawkins,
 M. Nixon,
 W. W. Hughey,
 D. J. Hynds,
 A. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 A. Joyner,
 P. H. Lester,
 L. B. Mitchell,
 William Murphy,
 W. D. McClellan.

Mr B. M. Guire,
 D. J. Montgomery,
 L. J. Pundall,
 J. T. Preston,
 W. H. C. Reid,
 G. S. Scott,
 J. T. Smith,
 J. J. Sumpster,
 S. P. Swepton,
 J. W. Thomason,
 L. L. Thompson,
 J. D. W. Diller,
 J. P. Venable,
 John C. Walker,
 J. F. Wheeler,
 A. J. Wheat,
 Joseph Wright,
 The Speaker.

Those who voted in the negative, are:
 Mr Charles Coffie, J. Cleveland, L. C. White.

Those absent or not voting, are:

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Mr J. A. Ansley.
C. E. Berry.
Thos. Barrow.
D. Brideuthal.
Neill Brown.
W. H. Bate.
M. M. Duffie.
J. M. Jacks

Mr J. R. Johnson.
J. E. Joslyn.
R. Lee.
H. J. Marsh.
O. McCowen.
Robert Poek.
H. M. Purfoy.
O. P. Richardson.

Mr J. C. Rollins.
P. H. Spears.
J. S. Stephenson.
S. L. Strong.
J. M. Thompson.
C. W. Tankersley.
J. W. Williams.

So the bill was passed.

By unanimous consent,

Mr Supter, from the Joint Committee appointed to inquire into the conduct of Senators and Representatives in Congress from Arkansas, in relation to the late conspiracy against the legal State Government, to whom was referred the Joint Resolution of the House (H. R. Res. 6) a joint resolution requesting Powell Clayton and S. W. Dorsey, to resign their seats as Senators in Congress, from Arkansas, reported the same and recommended its passage.

By unanimous consent, the Joint Resolution was read a third time and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

{	Yeas	49
	Nays	8
	Not Voting:	23.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
H. H. Arnold,
H. H. Barton,
A. L. Brock,
J. B. Burton,
W. B. Carter,
David Chandler,
Charles Coffin,

Mr J. D. Conway,
J. Cleveland,
B. H. Crowley,
J. V. Cunningham,
G. Doswell,
L. W. Davis,
J. V. Davies,
M. M. Duffie,

Mr J. O. Eagle,
M. M. Erwin,
H. W. Files,
J. M. Foster,
L. D. Gilbreath,
J. M. Gist,
J. W. Gossett,
D. G. Hart,

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Mr M. Nixon,
 W. W. Hughey,
 D. J. Hynds,
 A. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 A. Joyner,
 P. H. Lester.

Mr L. D. Mitchell,
 W. J. McCallum,
 B. McGuire,
 D. J. Montgomery,
 L. J. Pindall,
 J. D. Preston,
 W. H. C. Reid,
 J. T. Smith,
 J. J. Slaughter.

Mr D. W. Thompson,
 J. D. W. Tiller,
 J. P. Venable,
 John C. Walker,
 J. T. Wheeler,
 A. J. Wheat,
 Joseph Wright,
 The Speaker.

Those who voted in the negative, are:

Mr A. E. Beardsley, W. A. Beasley, J. B. Chapline, W. Foreman,
 Mr E. Hawkins, William Murphy, G. S. Scott, L. L. Thompson.

Excused, Mr L. C. White.

Those absent or not voting, are:

Mr J. A. Ansley,	Mr J. E. Joslyn,	Mr A. H. Spears,
C. E. Perry,	A. Lee,	J. S. Stephenson,
Thos. Parrow,	A. J. Marsh,	S. L. Strong,
D. Bideuthal,	P. M. Cowen,	S. P. Sweepston,
Neill Brown,	Robert Polk,	J. W. Thompson,
W. H. Cate,	H. M. Purefoy,	C. W. Dautersley,
D. M. Jacks,	O. P. Richardson,	J. W. Williams,
A. A. Johnson,	J. C. Rollins,	

So the joint resolution was passed.

Pending the vote:

Mr Beasley, (when his name was called) asked to be excused from voting.

When

Mr Slaughter, moved that Mr Beasley be excused from voting.

Which was not agreed to.

Mr Hughey, (when his name was called,) asked to be excused from voting.

The question being put, Shall Mr Hughey be excused from

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voting? It was not agreed to.

Mr White, (when his name was called) asked and by unanimous consent was excused from voting.

Mr Cunningham. Subsequently sent to the Clerk's table, the following explanation of his vote, and asked that the same be spread upon the Journal, Viz:

Mr Speaker:

I believe that this resolution will do no good, and may do harm, as the impeachment of Senator Clayton, when Governor, did; and as much more important matters claim the attention of this Legislature, but as I do believe that "appliances" of the most corrupt kind, were used in their election, and knowing further, that none of the appliances were applied to me sufficient to permit them to apply my vote to the list that elected them; therefore I vote Aye.

Mr Beasley. Subsequently sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, Viz:

Mr Speaker:

In explanation of my vote upon House Joint Resolution concerning the U. S. Senators, Powell Clayton and S. W. Dorsey, passed by the House of Representatives 23rd instant, I have this to say. 1st. As to Powell Clayton, obtaining his seat in the U. S. Senate by bribe and fraud, I am wholly unable to affirm, as I was not one of his supporters then nor never was, and for me to now affirm under oath to the truth of said preamble and resolution, would certainly be reflecting upon the Honor, Honesty and Patriotism of many of my conservative and Democratic friends who supported him in his Senatorial struggle, which I find upon examination of the Journals of 1871, to be true.

And as to there being frauds or bribery used in the election of S. W. Dorsey, to the U. S. Senate, being then a member of the House of Representatives myself, and acting with the Democratic party who mostly supported Mr Dorsey, upon the final vote, If I now

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after the lapse of 16 months, declare under oath to the truth of said preamble and resolution, it leaves me to choose one of two alternates, neither of which, do I propose to do at this time. I am therefore, compelled to vote, No.

The vote was then announced as above.

By unanimous consent,

On motion of Mr Wheat,

The House proceeded to consider the Substitute for the joint resolution of the House (Sub. H. Jt. Res 4.) a joint resolution tendering the thanks of the General Assembly, to Gen. Robert C. Newton, and the other officers of the State Militia for their efforts in maintenance of the lawful State Government.

Which was read a third time and placed upon its passage.

The question being put, Shall the Joint Resolution pass?

It was decided in the affirmative

Yeas	55.
Nays	1.
Not voting:	25.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr L. N. Davis.	Mr A. D. King.
N. H. Arnold.	J. F. Davies.	B. W. Johnson.
H. H. Barton.	Mo. Mo. Duffie.	C. C. Johnson.
A. E. Beardsley.	J. P. Eagle.	L. L. Johnson.
W. H. Beasley.	Mo. Mo. Erwin.	A. Joyner.
D. D. Brock.	A. W. Files.	P. H. Lester.
J. B. Burton.	W. Foreman.	L. B. Mitchell.
W. B. Carter.	L. D. Gilbreath.	William Murphy.
David Chaudler.	J. M. Gist.	W. J. McClann.
Charles Coffin.	J. W. Gossett.	B. McGuire.
J. D. Conway.	D. G. Hart.	D. J. Montgomery.
J. Cleveland.	M. E. Hawkins.	X. J. Pindall.
B. H. Crowley.	M. Nixon.	J. J. Preston.
F. Doswell.	W. W. Hughey.	W. H. C. Ried.

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Mr J. C. Rollins
J. D. Smith,
J. J. Sumpter,
S. P. Sweptson,
J. M. Thompson.

Mr J. D. H. Diller.
J. P. Venable
John C. Walker.
J. T. Wheeler.

Mr H. J. Wheat.
L. C. White.
Joseph Wright.
The Speaker.

Voting in the negative Mr J. Chaplin.

Those absent or not voting, are,

Mr J. A. Ansley,
C. E. Berry,
Thos. Barrow,
D. Bridenhal.
Neill Brown,
W. H. Cate,
J. V. Cunningham,
J. M. Foster.

Mr D. J. Hynds
J. M. Jacks.
A. R. Johnson,
J. E. Joslyn,
R. Lee,
A. J. Marsh,
P. M. Cowen,
Robert Polk.

Mr H. M. Purefoy,
O. P. Richardson,
G. S. Scott,
P. H. Spears
J. S. Stephenson,
S. L. Strong,
J. W. Thomason,
C. W. Tankersley,
J. W. Williams.

So the Joint Resolution was passed.

Pending the vote-

Mr L. L. Thompson, (when his name was called) asked and by unanimous consent was excused from voting.

The vote was then announced as above.

By unanimous consent,

Mr Burton, introduced a bill (H.R. 70) entitled, an Act to provide for the issuance of bonds for the payment of the expenses of the Militia and present General Assembly.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

And,

On Motion of Mr Burton, was referred to the Committee of Ways and Means.

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On motion of Mr White,
Leave of absence was granted Mr J. Cleveland for
four days.

Mr Beasley, at 12 o'clock and 18 minutes, P.M. moved that the House
take a recess until 4 o'clock P.M.

Mr Mitchell, moved that the House adjourn until 10 o'clock A.M. of
Monday May 25, 1874.

Which was not agreed to.

The question recurring on the motion that the House take a recess.

It was agreed to.

And

The House accordingly took a recess until 4 o'clock, P.M.

After the Recess.

The House met at 4 o'clock P.M.

By unanimous consent.

Under a suspension of the rules.

Mr Burton.

introduced a bill (H. B. 71) entitled, an Act to create the County
of Cleburne, and for other purposes.

Which

By unanimous consent, was read a first time by title.

By unanimous consent, on motion of Mr Burton, Under a sus-
pension of the rules.

The bill was read a second time by title.

And

On motion of Mr Burton,

Was referred to the Committee on Counties
and County Lines.

Mr Eagle moved that the rule be suspended, and that he be allowed
to introduce a bill of a local nature.

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Which was not agreed to (two-thirds of the members present not voting therefor.)

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber.

Little Rock, Ark, May 23, 1874.

Mr Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of House bill No. 12, entitled an Act to prevent frauds in the disbursements of the Public School Funds, & for other purposes.

Also, of House Bill No. 7, entitled, an Act to be entitled, an Act to define the duties of the Clerk of Pulaski County.

Also, of a Substitute for House Bill No. 10, entitled, an Act to repeal an Act authorizing the Governor to appoint a State Geologist, approved, 25th April 1873. and for other purposes.

Also, a Substitute for Senate Bill No. 10, entitled, an Act to be entitled, an Act to change the term of holding the Circuit Courts of this State.

Also, Senate Joint Resolution, declaring certain Warrants drawn by Stephen Wheeler, as Auditor of Public Accounts to be illegal and fraudulent, and prohibiting the payment of the same by the Treasurer; and herewith respectfully transmit the same.

W. W. Orrick, Secretary.

By unanimous consent,

Mr Wheat, from the Committee on Militia, to whom was referred the bill of the House (H. R. 47) entitled an Act authorizing the appropriation of the revenues of the Counties of Jefferson and Lincoln for certain purposes; reported the same, with the recommendation by the majority of the Committee that the bill be passed.

When

Mr Aynd, from the same Committee submitted the following minority report thereon, which was read, viz:

Mr Speaker:

We the undersigned members of your Committee on Militia to whom has been referred House Bill No. 47, have had the

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same under consideration, and beg leave to submit the following as a minority report.

1st We consider the bill to be unconstitutional, from the fact that it appropriates the Sinking and School Fund Tax to the payment of said troops.

2nd Because said bill gives a preference to the troops of Jefferson and Lincoln Counties, over that of other troops of other Counties of the State, who have performed like services to the State, and we recommend that the bill do not pass.

D. J. Hynds.
O. P. Anderson. }

Mr Duffie, moved that the minority report of the Committee be adopted.
After debate

Mr Duffie, asked for the yeas and nays.

The question being put, Shall the minority report of the Committee be adopted?

It was decided in the negative.

{ Yeas: 28
Nays: 28.

The Yeas and Nays being desired by five members.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr W. Foreman.	Mr D. J. Montgomery.
H. N. Barton	J. M. Foster.	J. D. Preston.
W. A. Beasley.	L. D. Gilbreath.	G. S. Scott.
J. B. Chapline.	J. W. Gossett.	J. T. Smith.
J. D. Conway.	W. W. Hughey.	S. P. Swepton.
B. H. Crowley.	D. J. Hynds.	L. L. Thompson.
J. H. Cunningham.	R. Joyner.	* H. H. Arnold
J. H. Davies.	P. K. Lester.	J. T. Wheeler
Mr. Mr. Duffie.	William Murphy.	
H. W. Files.	W. J. McCallum.	

Those who voted in the negative, are:

Mr D. D. Brock. J. B. Burton, W. B. Carter, David Chandler, Charles Coffin.
F. Doswell, L. W. Davis, J. O. Eagle, M. M. Erwin, J. M. Gist, W. Hixon, A. D. King.
B. W. Johnson, C. C. Johnson, L. L. Johnson, B. McGuire, X. J. Pindall, W. H. C. Riden.

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Mr J. J. Slaughter, J. M. Thompson, D. W. Thomason, J. D. W. Miller, J. P. Venable, John C. Walker A. J. Wheat, L. C. White, Joseph Knight. The Speaker.

So the House refused to adopt the minority report.

Mr Hynds, moved that the bill and the reports lie on the table.

Which was not agreed to.

Then

On motion of Mr Coffin, The bill was referred to the Committee on the Judiciary.

By unanimous consent,

Mr Daswell, introduced a joint resolution (H. J. Res 10.) a Joint Resolution, providing for the adjournment of the General Assembly, May 28, 1874, to meet again on the first Monday of December, 1874.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The Joint Resolution was read a second time,

On motion of Mr Davis, The rules were further suspended (two-thirds of the Members present voting therefor.)

And,

The joint resolution was read a third time and placed upon its passage.

The question being put, Shall the Joint Resolution pass?

It was decided in the affirmative.

{	Yeas:	53.
	Nays:	4.
	Not Voting:	25.

Those who voted in the affirmative, are:

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Mr O. P. Anderson,
 A. H. Arnold,
 A. H. Barton,
 W. A. Beasley,
 D. D. Brock,
 J. P. Burton,
 W. D. Carter,
 David Chandler,
 J. J. Chapline,
 Charles Coffin,
 J. D. Conway,
 O. H. Crowley,
 F. Doswell,
 L. W. Davis,
 J. D. Davies,
 M. M. Duffie,
 J. P. Eagle,
 M. M. Ewin.

Mr A. W. Files,
 W. Foreman,
 J. M. Foster,
 L. D. Kelbreath,
 J. M. Kist,
 J. W. Gossett,
 D. G. Hart,
 M. E. Hawkins,
 M. Nixon,
 W. W. Hughey,
 D. J. Kynsds,
 A. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 A. Joyner,
 P. H. Lester,
 William Murphy.

Mr W. J. McCallaw,
 B. McQuire,
 D. J. Montgomery,
 J. D. Preston,
 W. A. C. Ried,
 J. D. Smith,
 J. J. Sumpter,
 S. P. Sweptown,
 J. M. Thompson,
 W. H. Thomason,
 J. D. W. Diller,
 J. P. Venable,
 John C. Walker,
 J. D. Wheeler,
 A. J. Wheat,
 Joseph Wright,
 The Speaker.

Those who voted in the negative, are:

Mr J. F. Cunningham, X. J. Pindall, L. L. Thompson, L. C. White.

Those absent or not voting, are:

Mr J. A. Ansley, A. E. Beardsley, C. E. Berry, Thos. Barrow, D. Bridenthal,
 Neill Brown, W. H. Cate, J. Cleland, D. M. Jacks, A. R. Johnson, J. E. Joslyn,
 A. Lee, A. J. Maish, P. M. Cowen, Robert Polk, H. M. Purfoy, O. P. Richardson, J. C.
 Collins, G. S. Scott, P. H. Spears, J. S. Stephenson, S. L. Strong, C. W. Dautersley, J. W.
 Williams, L. B. Mitchell.

So the Joint Resolution was passed.

Pending the vote,

Mr Cunningham, (when his name was called,) sent to the Clerk's Table the following explanation of his vote, and asked that the same be spread upon the Journal, viz:

Mr Speaker:

I vote against the resolution because it does not adjourn sine die.

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The vote was then announced, as above.

Then

On motion of Mr D. H. Johnson.

The House at 5 o'clock and 26 minutes P. M.
adjourned until 10 o'clock, A. M. of Monday,
May 25. 1874.

Approved:

Chas. C. Rice Jr.

Clerk of the House.

James A. Berry
Speaker of the House.

House of RepresentativesMonday May 25, 1874.

The House met at 10 o'clock A. M.

The Roll being called it appeared that the following named members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr W. Foreman,	Mr D. J. Montgomery,
H. H. Arnold,	J. M. Foster,	X. J. Pindall,
H. H. Barton,	L. D. Gilbreath,	J. D. Preston,
A. E. Bardsley,	J. M. Gist,	H. H. C. Rice,
W. A. Beasley,	J. W. Gossett,	G. S. Scott,
D. D. Brock,	D. G. Hart,	J. T. Smith,
J. B. Burton,	Mr E. Hawkins,	S. P. Sweepton,
W. J. Carter,	Mr Nixon,	J. M. Thompson,
David Chandler,	W. W. Hughey,	D. W. Thomason,
Charles Coffin,	D. J. Hynds,	L. L. Thompson,
J. D. Conway,	A. D. King,	J. D. W. Diller,
D. H. Crowley,	B. W. Johnson,	J. P. Venable,
J. T. Cunningham,	C. C. Johnson,	John C. Walker,
L. W. Davis,	L. L. Johnson,	J. T. Wheeler,
J. T. Davies,	A. Joyner,	H. J. Wheat,
J. P. Eagle,	P. K. Lester,	Joseph Wright,
Mr. Mr. Erwin,	William Murphy,	The Speaker,
A. W. Files,	B. M. C. Quire,	

Prayer by the Chaplain, *pro tempore*.

The Journal of Saturday was read and approved:

Mr D. Pridenthal, Mr W. H. Cate and Mr J. W. Williams, appeared and took their seats within the bar of the House.

Mr A. J. Marsh, a member elect from the Seventeenth District appeared, and having taken the oath of office, took his seat within the bar of the House.

By unanimous consent, Mr Thomason introduced a bill (H. R. 722)

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entitled, an Act in reference to the Arkansas Industrial University
the effects, officers, and management thereof.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

On motion of Mr. Thomason,

The rules were further suspended, (two thirds of the members present voting therefor.) And

The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative,

Yeas.	55.
Nays.	3
Total Voting:	24.

Those who voted in the affirmative, are:

Mr H. N. Barton,	Mr J. M. Gist.	Mr D. J. Montgomery.
A. E. Beardsley.	J. W. Gossett.	X. J. Prudall.
W. A. Beasley.	D. G. Hart.	J. P. Preston.
D. Bridenthal.	Mr. E. Hawkins.	W. H. C. Ried.
D. D. Brock.	Mr. Nixon.	J. T. Smith.
J. B. Burton.	W. H. Hughey.	J. P. Swepton.
W. D. Carter.	D. J. Hynds.	J. M. Thompson.
David Chandler.	A. D. King.	D. W. Thomason.
Charles Coffin.	B. W. Johnson.	L. L. Thompson.
J. D. Conway.	C. C. Johnson.	J. P. Venable.
P. H. Crowley.	L. L. Johnson.	J. T. Wheeler.
J. H. Cunningham.	R. Joyner.	A. J. Wheat.
L. W. Davis.	P. K. Lester.	L. C. White.
J. T. Davies.	A. J. Marsh.	J. W. Williams.
Mr. M. Duffie.	L. B. Mitchell.	Joseph Wright
A. W. Files.	William Murphy.	+ J. P. Eagle
W. Foreman.	W. D. McCallaw.	Mr. M. Erwin
L. D. Gilbreath.	B. M. Guire.	The Speaker.

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Those who voted in the negative, are:

Mr J. B. Chapline, F. Doswell, G. S. Scott.

Those absent or not voting, are:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr O. P. Richardson.
J. A. Ansley.	J. M. Jacks.	J. C. Collins.
H. H. Arnold.	H. A. Johnson.	A. N. Spears.
C. E. Perry.	J. E. Joslyn.	J. S. Stephenson.
Thos. Barrow.	A. Lee.	S. L. Strong.
Neill Brown	P. McCowan.	J. J. Sumpter.
W. H. Cate.	Robert Polk.	C. W. Tankersley.
J. Cleveland.	A. M. Purefoy.	John C. Walker.

So the bill was passed.

Pending the vote:

Mr Walker, (when his name was called) asked and was by unanimous consent excused from voting

The vote was then announced as above.

Under the order of business of Reports of Standing Committees.

Mr Reid, from the Committee of Ways and Means, to whom was referred the bills of the House (H. R. 70.) entitled, an Act to provide for the issuance of bonds for the payment of the expenses of the Militia and present General Assembly; and also, (H. R. 64) entitled, an Act to make an appropriation to pay the officers and members of the General Assembly, reported the same and recommended a substitute therefor, entitled, an Act to provide for the issuance of bonds for the payment of the expenses of the militia and present General Assembly, and the appropriation and disbursement of the same.

The report of the Committee was adopted.

And

The Substitute was accordingly adopted in lieu of the original bill.

And thereupon,

By unanimous consent, ^{the substitute bill was read a first time.} Under a suspension of the rules.

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The bill was read a second time by title.
Then,

On motion of Mr Ried, The House resolved itself into a Committee of the whole House for the further consideration of the bill.

After some time spent therein.

The Speaker, resumed the chair.

And

Mr Ried, reported the Committee of the whole House having according to order, had under consideration the Substitute for the bills of the House (Sub. H. R. 70 and 64.) entitled; an Act to provide for the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same, had made progress therein and asked leave to sit again.

Mr White, from the Select Committee on Impeachment, submitted as a privileged question, the following report, which was read, together with the Articles of Impeachment against the persons named in the report, viz:

Mr Speaker: Sir,

Your Committee on investigation of the official conduct of State officers, beg leave to make the following report:

We herewith file Articles of Impeachment against the following named persons, to wit:

John McBlure, Chief Justice of the Supreme Court of the State of Arkansas.
John E. Bennett, Associate Justice of the Supreme Court.
Elhanan J. Searle, Associate Justice of the Supreme Court.
Marshall L. Stephenson, Associate Justice of the Supreme Court.
Stephen Wheeler, Auditor of State
William H. Grey, Commissioner of Immigration and State Lands.
George H. Kingston, Judge of the 14th Judicial Circuit.
William S. Oliver, Sheriff of Pulaski County.
Denton Turner, Sheriff of Faulkner County.
Austin Barrow, Sheriff of Phillips County.
Edgar H. Stickels, Sheriff of Hot Springs County.
Charles H. Lander, County Clerk of Faulkner County.
James R. Rowland, County Clerk of Pulaski County.

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John Whytock, Judge of the 7.th Judicial Circuit.

John M. Murphy, Supervisor of Pulaski County.

Lloyd H. Wheeler, Supervisor of Pulaski County. for the causes, charges and specifications therein set forth, in the several articles of impeachment herewith attached and returned and asked to be made part of the report of your Committee

L. C. White. Ch.

W. M. Duffie.

J. J. Sumpster.

W. M. Clifton.

J. D. Aswell.

On motion of Mr White.

The House passed to the consideration of the Articles of Impeachment, against Stephen Wheeler, the Auditor of the State of Arkansas, for high crimes and misdemeanors in office.

The Articles of Impeachment being read.

Mr Brown, moved that One hundred copies of the Articles of Impeachment be printed for the use of the House.

On motion of Mr Sumpster.

Ordered, That the motion lie on the table.

After discussion.

Mr Pindall, moved that the Articles of Impeachment against Stephen Wheeler, the Auditor of State, be recommitted to the Select Committee on Impeachment, with the instruction that the Committee submit the evidence to the House upon which the Articles of Impeachment were based.

Mr Brown, asked for the Yeas, and Nays.

The question being put. Shall the motion be agreed to.

It was decided in the affirmative.

{	Yeas.	45
	Nays.	20.

The yeas and nays being desired by five members.

Those who voted in the affirmative, are:

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Mr O. P. Anderson.
 H. H. Arnold.
 H. H. Barton.
 A. E. Beardsley.
 W. A. Beasley.
 D. Bridenthal.
 D. D. Brock.
 Will Brown.
 W. B. Carter.
 W. H. Cate.
 Charles Coffin.
 J. D. Conway.
 D. H. Crowley.
 J. T. Cunningham.
 T. Dorewell.

Mr J. T. Davies.
 J. P. Eagles.
 Mr. Mr. Erwin.
 A. W. Files.
 W. Foreman.
 J. M. Foster.
 J. M. Gist.
 J. W. Gossett.
 D. H. Hart.
 Mr. E. Hawkins.
 Mr. Nixon.
 W. W. Hughey.
 B. W. Johnson.
 R. Joyner.
 P. C. Lester.

Mr A. J. Marsh.
 L. B. Mitchell.
 William Murphy.
 B. McGuire.
 D. J. Montgomery.
 X. J. Pindale.
 J. T. Preston.
 J. T. Smith.
 S. P. Sweetston.
 J. M. Thompson.
 D. W. Thomason.
 J. T. Wheeler.
 J. W. Williams.
 The Speaker.

Those who voted in the negative, are:

Mr J. B. Burton
 David Chaudler.
 J. B. Chapline.
 L. W. Davis.
 Mr. Mr. Duffie.
 L. D. Gilbreath.
 D. J. Hynds.

Mr A. D. King.
 C. C. Johnson.
 L. L. Johnson.
 W. J. McClellan.
 W. H. C. Ried.
 G. S. Scott.
 J. J. Slaughter.

Mr J. D. W. Diller.
 J. O. Venable.
 John C. Walker.
 A. J. Wheat.
 L. C. White.
 Joseph Wright.

So the motion was agreed to.

And

The Articles were accordingly recommitted to the Committee on Impeachment.

On motion of Mr White,

The House passed to the consideration of the articles of impeachment submitted against John M. Clure, the Chief Justice of the Supreme Court of the State of Arkansas, for high crimes and misdemeanors in office which were read as follows:

Articles.

Exhibited by the House of Representatives of the State of Arkansas in the name of themselves and all the People of said State, against John M. Clure, as Chief Justice of the Supreme Court of the State of Arkansas in maintenance and support of their impeachment against

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him for his crimes and misdemeanors in office.

Article I.

That the said John M. Clure, being Chief Justice of the Supreme Court of the State of Ark., as aforesaid, did heretofore, to wit, on the day of 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted Government of said State, and did then and there levy war against the said State of Arkansas, contrary to the constitution and laws of said State; whereby the said.

John M. Clure,
did then and there commit and was guilty of, a high crime in office.

Article II.

That the said John M. Clure, being Chief Justice of the Supreme Court of the State as aforesaid, did, heretofore, to wit, on the 15th day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted authorities and government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the constitution and laws of said State; whereby the said

John M. Clure,
did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said John M. Clure, being Chief Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit: on the 15th day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evilly disposed persons by force to usurp the Government of the State, and did make forcible attempts to accomplish the said illegal purpose, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, entitled, "An

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Act to punish usurpation in Office, approved February 27, 1873, whereby the said

John M^c. Clure,

did then and there commit, and was guilty of, a high crime in office.

Article IV.

That the said John M^c. Clure, being Chief Justice of the Supreme Court of the State, as aforesaid, did heretofore, to wit, on the 15th day of April, 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks, and other evil minded persons, to overturn the government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly, of said State, entitled "An Act to Punish Usurpation in Office", approved February 27, 1873, whereby the said

John M^c. Clure,

did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said John M^c. Clure, being Chief Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit, on the 15th day of April 1874, at the County of Pulaski, in said State, being unmindful of the duties, of his said office, of his oath of office and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks, and other evil minded persons, to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose, levied war on said State, contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in Office", approved February 27, 1873, whereby the said

John M^c. Clure,

did then and there commit, and was guilty of, a high crime in office.

Article VI.

That the said John M^c. Clure, being Chief Justice of the Supreme

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Court of the State aforesaid, did heretofore, to wit: On or about the 7th day of May A.D. 1874. at the County of Pulaski, in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously connive, conspire and combine with one Joseph Brooks and other evil minded persons by indolently and corruptly rendering a decision and making a judgment in favor of and to the benefit of said Joseph Brooks and the evil person with him therein interested; contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled, "An Act to Punish Usurpation in Office," Approved February 27th 1873, whereby the said

John M. Clure,

did then and there commit, and was guilty of, a high crime in office.

Whereupon,

Mr Pindall moved that the Articles of Impeachment be recommitted to the Select Committee on Impeachment, with the instruction that the Committee submit the evidence to the House, upon which the Articles of Impeachment were based.

Which was not agreed to.

The question being on the adoption of the Articles of Impeachment.

Mr Sumpter asked for the Yeas and Nays.

The question being put, shall the Articles of Impeachment against John M. Clure, the Chief Justice of the Supreme Court of Arkansas, be adopted?

It was decided in the affirmative.

{	Yeas	52.
	Nays	9.
	Not Voting	21.

The yeas and nays being desired by five members.

Those who voted in the affirmative, are:

Mr C. P. Anderson,	Mr D. Briedenthal	Mr David Chandler.
N. H. Arnold.	D. D. Brock.	Charles Coffin.
H. H. Barton.	J. B. Burton.	J. D. Conway.
W. A. Beasley.	W. B. Carter.	B. H. Crowley.

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Mr J. Doswell.	Mr W. W. Hughes.	Mr J. S. Preston.
L. W. Davis.	D. J. Hynds.	W. H. C. Reid
J. W. Davies.	A. D. King.	J. T. Smith.
Mr. Mr. Duffie	B. W. Johnson.	J. J. Scurpter.
J. P. Eagle.	C. C. Johnson.	J. M. Thompson.
Mr. Mr. Erwin.	L. L. Johnson.	T. W. Thomason.
A. W. Files.	R. Joyner.	J. D. W. Diller.
J. Mr. Foster.	P. H. Lester.	J. P. Venable.
L. D. Gilbreath.	A. J. Marsh.	John C. Walker.
J. Mr. Gist.	L. P. Mitchell	J. T. Wheeler.
J. W. Gossett.	W. J. M. Clallan.	A. J. Wheat.
D. H. Hart.	D. J. Montgomery.	L. C. White.
Mr. Nixon.	X. J. Pindall.	Joseph Wright.
		The Speaker.

Those who voted in the negative, are:

Mr Neill Brown, W. H. Cate, J. B. Chapline J. T. Cunningham,
W. Foreman, G. S. Scott, S. P. Sweepston, L. L. Thompson, J. W. Williams.

Those absent or not voting, are:

Mr J. A. Ansley	Mr J. E. Joslyn	Mr J. C. Rollins.
A. E. Beardsley.	R. Lee.	P. H. Spears.
C. E. Berry.	William Murphy.	J. S. Stephenson.
Thos. Barrow.	P. M. Cowen.	S. L. Strong.
J. Cleveland.	B. M. Guire.	C. W. Tankersley.
Mr. E. Hawkins.	Robert Polk,	
J. Mr. Jacks.	H. M. Purefoy.	
A. R. Johnson.	O. P. Richardson.	

So the Articles of Impeachment were adopted.

Pending the vote.

Mr Cate, (when his name was called) sent to the Clerk's table, the following explanation of his vote:

Mr Speaker:

The question before the House being, "shall John M. Clines as Chief Justice of the State be impeached?"

I ask to offer the following reasons for my vote.

May 25, 1874.

I regard the question a purely legal one, and shall so act upon it, divesting it entirely of any political consideration whatever.

It seems to me that before we are justifiable in preferring articles of impeachment against an officer, there must be before us legal evidence of such a nature, that if unexplained or rebutted would justify a conviction on a trial before the Senate.

In this case we are advised that evidence is abundant and overwhelming, but no part of it is brought before us, and I cannot conceive how I can vote for the articles reported by the Committee. I may have misconceived my duties and obligations in this matter, but I must be governed by my convictions of the law, regardless of any supposed political necessity that may exist for such a step.

It is at all times unsafe to disregard the provisions of law, and the greater the apparent necessity therefor, the greater the danger especially in an hour of revolution and political excitement.

If Judge M^c. Clure, has been guilty of the crimes and misdemeanors charged against him in these articles, let the proof be produced and I will cheerfully act upon it; until this is done I must decline to go outside what I believe to be the law and trample upon its most sacred forms, in order to compass his punishment for doing the same thing.

In this I differ from a majority of my friends in this House, but I accord to them entire honesty and sincerity of purpose, and ask of them as I believe I have the same respectful consideration. I vote No.

Mr. Cunningham, (when his name was called,) sent to the Clerk's table the following explanation of his vote, viz:

Mr Speaker:

I believe from rumor that John M^c. Clure, is the sum of all villainies and has long disgraced the high position of Chief Justice; but the Committee have reported no evidence, and the House has refused to recommit for that purpose, and compelled me to vote for or against the impeachment of an officer occupying a position high above politics and partyism, which office itself has always heretofore in this, and all other States, drawn around it the sanctity of universal respect.

I would condemn a Grand Jury which would find a true bill against the meanest of mortals, for the smallest crime known to the law, without evidence. And yet I find a majority of

May 25, 1874.

this House, in passionate haste forcing me to vote to impeach the Chief Justice of the Supreme Court; and many of that majority of the legal profession; without a scintilla of evidence.

John Mc. Clure, is universally regarded as an intriguing political Judge, but I never heard of him condemning any body without some evidence or some pretense of evidence. Never in the height of impudence and corruption did he, to my knowledge, leap so high above the bounds of decency, as to give a judgment without the least time to consider of the subject and without evidence.

Popular clamor, loud cheering and waving of handkerchiefs by the ladies, cannot compel me to vote to condemn John Mc. Clure, which would work a removal from office, until he is tried in a manner which seems to me to be more indecent - more hasty - more lawless - more revolutionary than anything which he ever did. I am alive to public opinion, but nothing high or low, great or small, can compel me to prostitute the high office of a member of an impeaching body, and my own sense of right, lower than the depths of haste and passion, ever reached by John Mc. Clure, in his official action. Public necessity did not require it, as already the Court is forbidden to hold a session until November - before which a Convention will be held - before whom the whole matter will be settled.

Such action is the worse, because both houses have agreed to adjourn until December, till when - no trial can be had. Thus we have condemnation without evidence; and impeachment without a trial.

I have often trembled for the last ten years, at the bold leaps over law, precedent, and rules respected and regarded from time immemorial, made to accomplish an object desired by the ruling party; and have from a hundred stumps pointed to the return of the democratic party as the time when haste, passion and rashness would be no more.

The object of a return so long and devoutly wished of the people to power has been realized only to witness within a week the most startling and alarming rashness, which awakens fear in the hearts of patriots, and joy in the camp of the people's enemies. Such action of this body will be welcomed as a Godsend by Judge Mc. Clure.

This Legislature should have adjourned at once after the passage of the Convention bill, and remitted the whole matter back to the people; and let the cooling effect of time restore a little

May 25, 1874.

calumnies. In the name of the office I hold - In the name of the people I represent, In the name of the State in which I live, and in the name of the party to which I have always belonged, I most solemnly protest against such rashness; and desire this to be spread upon the Journals to be read after the fever of burning excitement has subsided. I vote No.

Mr Hawkins, (when his name was called,) asked and was excused from voting.

Mr Murphy, (when his name was called,) asked and was excused from voting.

The vote was then announced as above.

And

John McBluer, the Chief Justice of the Supreme Court of the State of Arkansas, was, at 11 o'clock and 40 minutes, A.M. declared to be impeached by the House of Representatives.

Mr Conway, moved to reconsider the vote by which the House agreed to recommit the Articles of Impeachment against Stephen Wheeler, Auditor of State.

Objection being made,

The motion was laid over, under the rule.

Then,

On motion of Mr Doswell, the House took a recess until 3 o'clock P.M.

After the Recess.

The House met at 3 o'clock, P.M.

The House resumed consideration of the business pending at the hour of taking a recess, being the consideration of the Articles of Impeachment presented by the Select Committee on Impeachment.

Whereupon, On motion of Mr Pindall,

Ordered, that the further consideration of the Articles of Impeachment be postponed until 11 o'clock A.M. on the morrow.



May 25, 1874.

Mr Hughes, moved that he be allowed to introduce a bill, entitled an Act to appropriate funds to pay citizens of the State who were damaged by the militia in 1868, and 1869.

Which was not agreed to.

On motion of Mr Pindall,

The House again resolved itself into a Committee of the whole House, for the further consideration of the Substitute for the bills of the House (Sub. H. R. 70, and 64) entitled an Act to provide for the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same.

After some time spent therein.

The Speaker, resumed the Chair.

And

Mr Pindall, reported that the Committee of the whole House having according to order, had under consideration the Substitute for the bills of the House (Sub. H. R. 70 and 64) entitled, an Act to provide for the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same; had considered the same and recommended that the bill be referred to the Committee of Ways and Means, with instruction to report on the morrow.

Pending the consideration of the report.

A message from His Excellency the Governor, by Gen M. Canmany, his Private Secretary.

Executive Office.

Little Rock Ark, May 25th 1874.

To the House of Representatives, Arkansas.

Gentlemen:

I have signed and approved the following House Bills, Viz:

An Act entitled an Act to regulate the time of holding the Circuit Court in the County of Stone. Also, An Act entitled An Act making an appropriation to pay the contingent expenses of

May 25, 1874.

the General Assembly; Also, "Joint Resolution in regard to the Steamer Hallie". All of which are herewith returned.

Elisha Baxter.
Governor of Arkansas.

A message from the Senate, by Mr Orrick their Secretary.

Senate Chamber.

Little Rock, Ark, May 25th 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the concurrence by the Senate, of House Joint Resolution No 10, providing that the General Assembly of the State of Arkansas, adjourn at noon on Thursday, the 28th day of May A. D. 1874. to reassemble on the 1st Monday of December next at 12 o'clock noon.

Also, of Substitute Senate Bill 9, entitled, an act entitled an act to repeal an Act to provide for paying the interest of the bonds issued to aid in the construction of Rail Roads, Approved April 10th 1869; and herewith respectfully transmit the same.

W. W. Orrick, Secretary.

The question being on the adoption of the report of the Committee of the whole House.

It was not agreed to.

Then,

On motion of Mr Reed,

The rules were suspended, (two-thirds of the Members present voting therefor,) and,

The bill was read a third time and placed upon its passage.

The question being put,

Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	45.
	Nays.	17.
	Not Voting:	20.

Those who voted in the affirmative, are:

May 25, 1874.

Mr H. H. Arnold,
H. H. Barton,
A. E. Beardsley,
Veil Brown,
W. O. Carter,
David Chaudler,
Charles Coffin,
P. H. Crowley,
F. Daswell,
L. W. Davis,
J. T. Davies,
M. M. Erwin,
A. W. Fies,
W. Foreman,
J. M. Foster.

Mr L. D. Gilbreath,
J. M. Gist,
D. G. Hart,
M. E. Hawkins,
M. Nixon,
D. J. Hynds,
A. D. King,
P. W. Johnson,
C. C. Johnson,
L. L. Johnson,
R. Joyner,
P. H. Lester,
A. J. Marsh,
L. D. Mitchell,
William Murphy.

Mr W. J. M. Clellan,
B. McQuire,
X. J. Pindall,
J. D. Preston,
W. H. C. Reed,
J. J. Slaughter,
J. M. Thompson,
D. W. Thompson,
J. D. W. Diller,
J. P. Venable,
J. T. Wheeler,
A. J. Wheat,
L. C. White,
J. W. Williams,
Joseph Wright.

Those voting in the negative, are:

Mr O. P. Anderson, W. A. Beasley, D. D. Brock, J. B. Burton, W. H. Cate,
J. B. Chapline, J. D. Conway, J. T. Cunningham, M. M. Duffie, J. W.
Gossett, W. H. Hughey, D. J. Montgomery, G. S. Scott, J. T. Smith, L. L.
Thompson, John C. Walker. The Speaker.

Those absent or not voting, are:

Mr J. A. Ansley,
C. E. Berry,
Thos. Barrow,
D. Bridenthal,
J. Cleveland,
J. P. Eagle,
D. M. Jacks.

Mr A. R. Johnson,
J. E. Joslyn,
R. Lee,
P. M. Cowen,
Robert Poek,
H. M. Purefoy,
O. P. Richardson.

Mr J. C. Rollins,
P. H. Spears,
J. S. Stephenson,
S. L. Strong,
S. P. Sweetston,
C. W. Tankersley.

So the bill was passed:

Pending the vote.

Mr Erwin, (when his name was called,) sent to the Clerk's Desk the following explanation of his vote:

Mr Speaker:

In explanation of my vote, I have this to say that I

May 25, 1874.

dorse the general provisions of the bill - except that part of the bill which provides for the mileage + per diem of the members of the General Assembly now in session; and in regard to that clause, I do hereby enter my protest, but will vote Aye, on the bill - because I want to pay the soldiers + citizens who have so nobly responded to the call for men and supplies.

The vote was then announced as above.

Whereupon,

Mr White, moved that the vote last taken be reconsidered, and that that motion lie on the table; which latter motion was agreed to.

Mr White, from the Select Committee on Impeachment, to whom was re-committed the Articles of Impeachment against Stephen Wheeler, the Auditor of State, reported the same, together with the evidence upon which the same was based, and submitted the following additional report thereon:

To the Honorable J. H. Perry,

Speaker of the House of Representatives,

of the State of Arkansas.

Your Committee

appointed to investigate the conduct of State Officers, beg leave to report that they have had the Articles of Impeachment in the case of Stephen Wheeler, as Auditor of the State of Arkansas, as referred to them by the House of Representatives, on the 25th day of May A. D. 1874, under consideration; and return the Articles of Impeachment with the testimony and recommend that the said Stephen Wheeler, as Auditor, as aforesaid, be impeached for and under the charges and specifications as contained in the Articles of impeachment herewith submitted.

Respectfully,

L. C. White,

W. W. Duffie,

J. J. Sumpter,

W. J. McCallan,

F. Dosiwell.

The articles of impeachment against Stephen Wheeler, the Auditor of the State of Arkansas, for high crimes and misdemeanors in office, were read, as follows:

§

§

§

May 25, 1874.Articles.

Exhibited by the House of Representatives of the State of Arkansas, in the name of themselves and all the People of said State, against Stephen Wheeler, as Auditor of the State of Arkansas, in maintenance and support of their impeachment against him for High Crimes and Misdemeanors in office.

Article I.

That the said Stephen Wheeler, being Auditor of the State of Ark. as aforesaid, did, heretofore, to wit, on the 15th day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted Government of said State, and did then and there levy war against the said State of Arkansas, contrary to the Constitution and Laws of said State, whereby the said Stephen Wheeler, did then and there commit, and was guilty of, a high crime in office.

Article II.

That the said Stephen Wheeler, being Auditor of the State of Ark. as aforesaid, did heretofore, to wit, on the 15 day of April, 1874, at the County of Pulaski, in said State, ^{being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and Laws of said State,} combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted authorities and government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the Constitution and Laws of said State, whereby the Stephen Wheeler, did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said Stephen Wheeler, being Auditor of the State of Ark. as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks, and other evilly disposed persons by force to usurp the Government of the State, and did make forcible attempts to accomplish the said

May 25, 1874.

illegal purpose, contrary to the constitution and laws of said State, and in violation of an Act of the General Assembly of said State, entitled, "An Act to punish usurpation in office", approved February 27, 1873. whereby the said Stephen Wheeler, did then and there commit, and was guilty of a high crime in office.

Article IV.

That the said Stephen Wheeler, being auditor of the State of Ark, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks and other evil-minded persons, to overturn the Government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly, of said State, entitled, "An Act to punish usurpation in Office", Approved February 27, 1873; whereby the said Stephen Wheeler, did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said Stephen Wheeler, being Auditor of the State of Ark, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks, and other evil-minded persons, to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose levied war on said State, contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in Office", Approved February 27, 1873; whereby the said Stephen Wheeler, did then and there commit, and was guilty of, a high crime in office.

Article VI.

That the said Stephen Wheeler, being Auditor of the State of Ark, as aforesaid, did heretofore, to wit: On or about the 22^d day of April A.D. 1874, at the County of Pulaski in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously

May 25, 1874.

combine and conspire with one Joseph Brooks, and other evil-minded persons to overturn and overthrow the lawful State Government by fraudulently issuing his Warrants as said Auditor, to the amount of \$50,000.00, upon the order and certificate of said Joseph Brooks to the Treasurer of said State, for the benefit of said insurrection and those interested therein; contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office", approved February 27, 1873, whereby the said Stephen Wheeler, did then and there commit, and was guilty of, a high crime in office.

On motion of Mr Coffin,

Ordered, That the reading of the evidence submitted by the Select Committee on Impeachment, be dispensed with.

The question upon the adoption of the articles of Impeachment.

Mr Walker, asked for the Yeas and Nays.

The question being put, Shall the Articles of Impeachment against Stephen Wheeler, the Auditor of State, be adopted?

It was decided in the affirmative.

Yeas.	56.
Nays.	7.
Not Voting.	19.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr J. Doswell,	Mr D. G. Hart,
H. N. Arnold,	L. W. Davis,	Mr E. Hawkins,
H. N. Barton,	J. J. Davies,	Mr Nixon,
H. A. Deasley,	Mr. Mr. Duffie,	D. J. Hynds,
L. Bridenthal,	J. P. Eagle,	A. D. King,
L. D. Brock,	Mr. Mr. Erwin,	B. W. Johnson,
J. O. Burton,	A. W. Giles,	C. C. Johnson,
W. D. Carter,	W. Foreman,	L. L. Johnson,
David Chandler,	J. M. Foster,	A. Joyner,
Charles Coffin,	L. D. Gilbreath,	P. M. Lester,
J. D. Conway,	J. M. Gist,	A. J. Marsh,
O. H. Crowley,	J. W. Gossett,	L. B. Mitchell,

May 25, 1874.

Mr William Murphy.
 W. J. McCallaw.
 B. M. C. Guire.
 D. J. Montgomery.
 X. J. Pindall.
 J. D. Preston.

Mr W. H. C. Reed,
 J. T. Smith,
 J. J. Sumpter,
 J. M. Thompson,
 J. W. Thomason,
 J. T. W. Diller.

Mr J. P. Venable,
 John C. Walker,
 J. T. Wheeler,
 A. J. Wheat,
 L. C. White,
 Joseph Wright,
 The Speaker.

Those who voted in the negative, are:

Mr Neill Brown, W. H. Cate, J. B. Chapline, J. T. Cunningham, G. S. Scott, S. P. Swepston, L. L. Thompson.

Those absent or not voting, are:

Mr J. A. Ausley, A. E. Beardsley, C. E. Berry, Thos. Barrow, J. Cleveland, W. W. Hughey, J. M. Jacks, A. B. Johnson, J. E. Joslyn, B. Lee, P. M. Cowen, Robert Poole, H. M. Purefoy, O. P. Richardson, J. C. Rollins, B. H. Spears, J. S. Stephenson, S. L. Strong, C. W. Tankersley.

So the Articles of Impeachment were adopted.

Pending the vote.

Mr Bridcutt, (when his name was called) sent to the Clerk's table the following explanation of his vote:

Mr Speaker:

Having satisfied myself that Stephen Wheeler, was not elected to the office which he holds, I vote Aye.

Mr L. L. Thompson, (when his name was called) gave notice that he would spread an explanation of his vote upon the Journal.

Mr Cunningham, (when his name was called,) sent to the Clerk's table the following explanation of his vote.

Mr Speaker:

I vote against these articles for the reasons given in my vote on the impeachment of Mr. Chase; and for the further reason that the charge of usurpation in office does not apply to his usurpation of the office to which Berry was elected.

May 25, 1874.

The vote was then announced as above.

And,

Stephen Wheeler, the Auditor of the State of Arkansas, was, at 5 o'clock and 20 minutes P.M. declared to be impeached by the House of Representatives.

On motion of Mr. Ried,

The Speaker, was authorized to appoint five members as Managers to report and prosecute the Articles of Impeachment against Stephen Wheeler, the Auditor of State, before the bar of the Senate.

The Speaker, subsequently appointed as such Managers, Mr. X. J. Pindall, A. J. Wheat, J. P. Denton, J. D. Conway, and W. J. McEllelaw.

On motion of Mr. Erwin,

The Speaker, was authorized to appoint three members as Managers, to report and prosecute the Articles of Impeachment against John McClure, the Chief Justice of the Supreme Court of Arkansas, before the bar of the Senate.

The Speaker, subsequently appointed as such Managers Mr. F. Doswell, A. D. King and W. W. Duffie.

By unanimous consent,

Mr. Ried, from the Committee of Ways and Means, introduced a bill (H. R. 73.) entitled, an Act making appropriation to supply deficits in the State Departments; together with the following report, which was read, viz:

Mr. Speaker:

Your Committee on Ways and Means, have had under consideration a bill to supply deficits in the State Departments, and respectfully submit the following bill and recommend its passage.

Whereupon,

The Bill was read a first time

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

May 25, 1874.

On motion of Mr Davis,

The rules were further suspended (by unanimous consent,) and,

The bill was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	60.
	Nays.	1
	Not voting:	21.

Those who voted in the affirmative, are:

Mr O. P. Anderson.

H. H. Arnold.

H. H. Barton.

A. E. Beardsley.

W. A. Beasley.

D. Bidenthal.

D. D. Brock.

J. O. Burton.

H. O. Carter.

W. H. Cate.

David Chaudler.

J. O. Chapline.

Charles Coffin.

J. D. Conway.

B. H. Crowley.

J. T. Cunningham.

F. Daswell.

L. W. Davis.

J. T. Davies.

Mo. Mo. Duffie.

Mr J. P. Eagle.

Mo. Mo. Erwin.

A. W. Files.

W. Foreman.

J. Mo. Foster.

L. D. Gilbreath.

J. Mo. Gist.

J. W. Gossett.

D. G. Hart.

Mo. E. Hawkins.

Mo. Nixon.

W. W. Hughey.

D. J. Hynds.

A. D. King.

B. W. Johnson.

C. C. Johnson.

L. L. Johnson.

A. Joyner.

P. H. Lester.

A. J. Marsh.

Mr L. P. Mitchell.

William Murphy.

B. M. Quire.

D. J. Montgomery.

X. J. Pindall.

J. D. Preston.

W. H. C. Reed.

J. T. Smith.

J. J. Sumpter.

S. P. Sweepston.

J. W. Thomason.

J. T. W. Miller.

J. P. Venable.

John C. Walker.

J. T. Wheeler.

A. J. Wheat.

L. C. White.

J. W. Williams.

Joseph Wright.

The Speaker.

Voting in the Negative:

Mr Neill Brown.

Those absent or not voting, are:

Mr J. A. Ansley, C. E. Berry, Thos. Barrow, J. Cleveland, W. M. Jacks, A. R. Johnson, J. E. Joselyn, R. Lee, W. D. M. Clifton, P. M. Corcoran, Robert Polk.

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Mr. H. M. Auefoy, O. P. Richardson, J. C. Rollins, G. S. Scott, P. H. Spears, J. S. Stephenson, S. L. Strong, J. W. Thompson, L. L. Thompson, C. W. Danksley.

So the bill was passed.

Mr. Danksley, sent to the Clerk's table the following explanation, and asked that it be spread upon the Journal, viz:-

Mr Speaker:-

I wish my name recorded as supporting the bill for a Constitutional Convention, and I wish to add, As a Citizen of Arkansas, in the fullest sense of that term, I consider it my imperative duty, as a citizen, and in my official capacity here to yield an earnest, faithful support to the Government of the State, and to the legally constituted authorities thereof.

Having been classed as a "Brooks sympathizer", I deem it my duty, as well as privilege, to place myself on record before this House, in such a manner that my motives may not be misconstrued or misunderstood, and I do this without hope of reward, but under a clear conviction of my duty to myself, and the people I represent.

Recognizing Governor Baxter, as the legal Governor of this State, I trust my acts will be a sufficient endorsement of my support of his administration.

Under the order of business of Bills and Resolutions from the Senate, on their first reading.

On motion of Mr Smith,

The House proceeded to consider the bill of the Senate, (S. 15) entitled, an Act supplementary to and amendatory of, an Act entitled, an Act providing for a Convention of the People of the State of Arkansas, to frame a new Constitution, Approved May 1874.

Which was read a first time.

By unanimous consent, under a suspension of the rules,

The bill was read a second time by title.

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May 25, 1874.

On motion of Mr Pindall,

The bill was amended by striking out the first three lines of Section 1. and inserting in lieu thereof the words, "That all Judges of this State are hereby prohibited from."

On motion of Mr Pindall,

Section 5

The bill was further amended by striking out

On motion of Mr Cunningham,

The bill was further amended by striking out in Section 4. the words "five dollars", and inserting in lieu thereof the words "two dollars".

Then

By unanimous consent,

On motion of Mr Reid,

The rules were further suspended, and the bill was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

{	Yeas,	58.
	Nays,	1
	Not Voting:	23.

Those who voted in the affirmative, are:

Mr O. B. Anderson.	Mr W. M. Duffie.	Mr B. W. Johnson.
H. H. Arnold.	J. P. Eagle.	C. C. Johnson.
H. H. Barton.	W. M. Erwin.	L. L. Johnson.
W. A. Beasley.	A. W. Giles.	R. J. J. Jones.
D. L. Brock.	W. Foreman.	P. K. Lester.
J. B. Burton.	J. M. Foster.	A. J. Marsh.
W. B. Carter.	L. D. Gilbreath.	L. B. Mitchell.
W. H. Cate.	J. M. Gist.	William Murphy.
David Chaudler.	J. W. Gossett.	W. J. M. C. Claw.
J. A. Chapline.	D. G. Hart.	D. J. Montgomery.
Charles Coffin.	W. E. Hawkins.	X. J. Pindall.
J. D. Conway.	W. Nixon.	J. D. Preston.
F. Darwell.	W. W. Hughey.	W. H. C. Reid.
L. W. Davis.	D. J. Hynds.	J. F. Smith.
J. D. Davies.	A. D. King.	J. J. Sumpter.

May 25, 1874.

Mr S. P. Loeperston, J. M. Thompson, D. W. Thomason, L. L. Thompson,
J. D. W. Diller, J. P. Venable, John C. Walker, J. H. Wheeler, A. J. Wheat,
L. C. White, J. W. Williams, Joseph Wright, The Speaker.

Voting in the Negative: Mr J. T. Cunningham.

Those absent or not voting, are:

Mr J. A. Ausley,	Mr D. M. Jacks,	Mr O. P. Richardson,
A. E. Pearisley,	A. R. Johnson,	J. C. Rollins,
C. E. Perry,	J. E. Joselyn,	G. S. Scott,
Thos. Darrow,	R. Lee,	A. H. Spears,
D. Bidenthal,	P. M ^c . Cowen,	J. S. Stephenson,
Neill Brown,	B. M ^c . Guire,	S. L. Strong,
J. Cleveland,	Robert Polk,	C. W. Tuckersley,
D. H. Crowley,	A. M. Purefoy,	

So the bill was passed.

On motion of Mr Wheat.

The House proceeded to consider the bill of
the Senate (S. 10.) entitled, an act to change the time of holding
the Circuit Courts of this State.

Mr Davies, at 5 o'clock and 59 minutes, P.M. moved that
the House adjourn.

Which was not agreed to.

The House having under consideration the bill of the Senate
(S. 10.) entitled, an act to change the time of holding the Cir-
cuit Courts of this State.

The bill was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

Mr Davis, moved that the bill be amended by inserting in
the Proviso to Section 1, after the words "in the," the words "sixth and

May 25. 1874.

Which was not agreed to.

Mr Chaplin, moved that the bill lie on the table.

Which was not agreed to.

Mr Sumpter moved that the rules be further suspended and that the bill be read a third time,

Which was not agreed to, (two-thirds of the Members present not voting therefor.)

Then,

On motion of Mr Conway.

The House at 6 o'clock
and 2 minutes P.M. adjourned.

Approved:

Chas. C. Rice Jr.
Clerk of the House.

James H. Berry
Speaker of the House.

House of Representatives

Tuesday May 26. 1874.

The House met at 10 O'clock A.M.

The Roll being called, it appeared that the following named Members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr M. M. Duffie,	Mr A. J. Marsh,
H. H. Arnold,	J. P. Eagle,	L. B. Mitchell,
H. H. Barton,	Mr. M. Erwin,	William Murphy,
A. E. Beardsley,	A. W. Files,	W. J. M. C. Clallan,
W. H. Beasley,	W. Foreman,	D. J. Montgomery,
D. Biedenthal,	J. M. Foster,	X. J. Pindall,
D. D. Brock,	L. D. Gilbreath,	J. T. Preston,
Neill Brown,	J. M. Gist,	H. M. Purefoy,
J. B. Burton,	J. W. Gossett,	W. H. C. Riea,
W. B. Carter,	D. G. Hart,	G. S. Scott,
W. H. Cate,	Mr. E. Hawkins,	J. T. Smith,
David Chandler,	Mr. Nixon,	J. J. Sumpter,
J. B. Chaplin,	W. H. Hughes,	S. O. Swepton,
Charles Coffin,	D. J. Hynds,	J. M. Thompson,
J. D. Conway,	A. D. King,	D. W. Thomason,
B. H. Crowley,	B. W. Johnson,	L. L. Thompson,
J. T. Cunningham,	C. C. Johnson,	J. D. W. Diller,
J. Doswell,	L. L. Johnson,	J. P. Venable,
L. W. Davis,	R. Joyner,	J. T. Wheeler,
J. F. Davies,	R. H. Lester,	A. J. Wheat,
J. W. Williams,	Joseph Wright,	The Speaker,

Prayer by the Chaplain, *pro tempore*.

Pending the reading of the Journal.

A message from the Senate, by

Mr Orrick, their Secretary;

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May 26. 1874.

Senate Chamber,

Little Rock, Ark. May 25, 1874.

Mr Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of Senate Bill No. 24, entitled, An Act authorizing the funding of the Debt of the City of Little Rock, and appointing Luke E. Barber, P. A. Simmons + John J. Glendenin, a Board of Commissioners to audit and scale the same indebtedness; and herewith respectfully transmit the same for your favorable consideration.

W. H. Orrick Secretary.

The Journal of Monday being read, was approved.

Mr Davies, submitted the following resolution, which was read and laid on the table, subject to the call of the House, Viz:

Whereas, Stephen Wheeler, who has for some time had charge of the office of auditor of State, and

Whereas, Articles of Impeachment have been preferred against said Stephen Wheeler, by the House of Representatives, and

Whereas, It is made the duty of the Governor to fill vacancies when they occur, by appointment; Therefore,

Be it Resolved, That a Committee of two members of this House be appointed to wait upon the Governor, and inform him of said Impeachment, with a view to the appointment of Auditor of State.

On motion of Mr Dosewell,

The Speaker, was authorized to appoint an additional Member of the Committee on the Judiciary.

The Speaker, appointed Mr W. H. Cate, as such additional Member of the Committee on the Judiciary.

By unanimous consent,

Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (H.R. 40.) entitled, an Act to establish supervision of Insurance Companies, by the Secretary of State, reported the same and recommended that the bill be amended, as follows:

That the title to said bill be amended

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by the addition of the following words "and for other purposes".
That Section 1. be amended as follows; by prefixing the words:

"That an Act to establish an Insurance Bureau, be
and the same is hereby repealed, and that the office
known as the Insurance Bureau, is hereby declared vacant.
And"

And that said Section be further amended by
striking out the words "And shall be charged with the en-
forcement of all laws of this State on the subject of Insurance".

And substituting therefor, the following words:

"And it shall be his duty to see that all laws of this
State on the subject of Insurance are complied with."

That Section 2. be amended by inserting between the words
"oaths" and "a" the words: "of the President and Secretary".

And that said Section 2. be further amended by striking out
the words "sworn statement," and inserting in their place the
words: "Statement sworn to by the President and Secretary".

That Section 5. be amended by inserting after word "same"
and before the word "and" the following: "in accordance with
the standard hereby established"

That Section 6. be amended by the addition of the words:
"and also for filing each special statement, the sum of
ten dollars".

And that Section 7. be amended by the addition of the words:
"Except taxes on real estate and tangible personal property, owned
by the company."

And that Section 11. be amended as follows; by the addition of
these words: "And until the payment thereof, such Company
shall be prohibited from doing further business".

And that the words "fines and penalties" on the first line of

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said Section be stricken out.

Also, that Section 13, be stricken out, and a Section to be numbered 16, in the following words be added to said bill:

"That this Act shall take effect and be in force from and after its passage, and all acts and parts of acts in conflict with this Act, be and the same are repealed."

Also, that a Section ^{to} be numbered 15, in the following words be added to said bill:

"Any person violating any of the provisions of this Act, shall upon conviction thereof, be fined in any sum not less than 100/ nor more than 500/."

The report of the Committee was adopted,

And

The amendments were accordingly agreed to.

On motion of Mr Burton,

The House passed to the consideration of the bill of the House (H. R. 40.) entitled, an Act to establish a supervision of Insurance Companies by the Secretary of State, and for other purposes.

Which was read a second time.

And

On motion of Mr Burton,

Ordered, that the bill be engrossed for a third reading, and be made Special order for 4 o'clock P.M.

By unanimous consent,

Mr Pindall from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 38) entitled, an Act of Pardon and Amnesty, submitted a majority report thereon, recommending a Substitute of similar title therefor.

Whereupon,

Mr Cunningham from the same Committee, submitted the following minority report, which was read, viz:

We the undersigned, a minority of the Committee on Judiciary dissent from the majority, and respectfully submit the following

May 26, 1874.

First. We cannot in view of justice and equality make discrimination in a matter so big with consequences, on account of the accidental holding of an office at the time.

Second. We cannot assent to the majority report because it seems to make discriminations which will have the appearance at least of discrimination on account of party fealty however impartial may be the views and motives of the majority.

Third. We hold the doctrine that officers are no higher before the law than those who are not, and that treason is no more than treason whether it be committed by one holding a civil office, at the time of the commission of the act, or not; an officer may at the same time commit the crime of treason, and also the offence of a misdemeanor in office, and the pardon of the one does not amnesty the other.

Fourth. We are reminded of the error and evil of discriminating against office holders and Ex-office holders by the Reconstruction Acts of Congress, and our Constitution, until recently amended; said Acts and said Constitution, as well as the Constitutions of many of the Southern States contained the same or similar distinctions to those made by the bill recommended by the majority, which violated a fundamental principle of Government, and substituted discrimination for justice, and all brought calamitous results - as will a violation of the first principles of Government ever do.

These discriminations are the cause of the unhappy difficulties now existing, which have impoverished and disgraced the State.

Cunningham & Duffie. Minority

We therefore, respectfully recommend the passage of the following bill in lieu of the one recommended by the majority, the object and tenor of which only amnesties the offence of forcibly supporting the cause of Joseph Brooks, to the office of Governor, and leaves all others, including that of misdemeanor in office untouched.

Mr Duffie, moved that the minority report of the Committee be adopted.

After debate.

A message from His Excellency the Governor, by Gen M^cCanary, his private Secretary.

May 26. 1874.

Executive Office.

Little Rock, Ark. May 26. 1874.

To the House of Representatives
Arkansas.

Gentlemen:

I have signed and approved House Bill entitled, "An Act providing for the removal of the County seat of Desha County," which is herewith returned.

Elisha Baxter,

Governor of Arkansas.

The question being on the motion that the minority report of the Committee be adopted.

Pending which,

On motion of Mr Smith.

The House took a recess until 3 o'clock P.M.

After the Recess.

The House met at 3 o'clock P.M.

The House resumed consideration of the majority and minority reports of the Committee on the Judiciary, on the Bill of the House (H. R. 38) entitled, an Act of Pardon and Amnesty.

The question being on the motion that the minority report be adopted.

Pending which,

A message from the Senate, by Mr Orrick, their Secretary.

Senate Chamber.

Little Rock, Ark. May 26. 1874.

Mr. Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of House Joint Resolution No. 2. entitled, a vote of thanks to Hon. W. W. Wilshire.

Also, of House Joint Resolution Bill No. 8. entitled, a Joint Resolution

May 26. 1874.

tendering the thanks of the General Assembly of the State of Arkansas, in behalf of the People, to U. S. Grant, President; and herewith respectfully return the same.

W. W. Orrick, Secretary.

The question being on the motion that the minority report be adopted.

After debate.

Mr White moved that the minority report, together with the Substitute Bill recommended thereby, be laid on the table.

Mr Brown, asked for the Yeas and Nays.

The question being put, It was decided in the affirmative.

Yeas: 42.
Nays: 20

Those who voted in the affirmative, are:

Mr H. H. Carlton,

J. A. Burton,

H. P. Carter,

David Chandler,

Charles Coffin,

J. D. Conway,

T. Darwell,

L. W. Davis,

J. T. Davies,

J. P. Eagle,

Mr. W. Erwin,

A. W. Files

J. M. Gist

John C. Walker.

Mr J. W. Gossett,

D. G. Hart,

Mr. E. Hawkins,

Mr. Hixon,

W. W. Hughey,

A. D. King,

B. W. Johnson,

C. C. Johnson,

L. L. Johnson,

A. Joyner,

P. K. Lester,

A. J. Marsh,

L. B. Mitchell,

L. C. White,

Mr William Murphy,

W. J. M. Cella,

B. M. C. Guire,

X. J. Pindall,

J. J. Preston,

W. H. C. Reed,

J. T. Smith

J. J. Sumpter,

J. M. Thompson,

D. W. Thomason,

J. J. W. Viller,

J. P. Venable

A. J. Wheat,

Joseph Wright.

Those who voted in the negative, are:

Mr H. H. Arnold, W. A. Beasley, D. Bridenthal, D. D. Brock, Neill Brown, W. H. Cate, J. B. Chaplin, B. H. Crowley, J. T. Cunningham, M. M. Duffie, -- W. Foreman, J. M. Foster, L. D. Gilbreath, D. J. Hynds, D. J. Montgomery, G. S. Scott, S. P. Swepston, J. W. Wheeler, J. W. Williams, The Speaker.

May 26, 1874.

So the minority report and the substitute bill recommended thereby, was laid on the table.

Pending the vote.

Mr. Gist. (when his name was called,) sent to the Clerk's table, the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr. Speaker:

In explanation of my vote on the minority report. I must say in the first place, I am opposed to indiscriminate impeachment. But believing the Arch-Traitors of this Rebellion, holding Civil offices, should not go Scott Free, and fearing that the amnesty bill of the minority would amnesty the charges upon which this House has already sustained Articles of Impeachment against two of those holding high offices in the gift of the people of Arkansas; and further I think it would be rather early to pardon those who brought about this rebellion before they show any signs of repentance, or even ask us to do so; and feeling if I err, it would be safest to err in favor of the people, and let them through their delegates to the Convention settle the matter, after they have had them on a few months of probation.

I vote, Aye.

Mr. B. W. Johnson, (when his name was called,) sent to the Clerk's table the following explanation of his vote and asked that it be spread upon the Journal, viz:

Mr. Speaker:

I vote Aye, because, I believe that if this minority report is sustained, it will release Stephen Wheeler and John M. Cline, from all criminality, or responsibility from their participation in frauds and malfeasance in office.

Mr. M. C. Bellaw, (when his name was called) sent to the Clerk's table, the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr. Speaker:

My reasons for voting against the minority report from the Judiciary Committee, on the bill granting amnesty to those engaged in rebellion against the lawful authority of the State of Arkansas, are these: I believe that bill wiping out the crime of the officials of this State will necessarily prevent their being successfully

May 26, 1874.

impeached for said crime; and I cannot vote for the pardon of those - a majority of whom I believe conspired to bring about war and bloodshed in this country, long before the 14.th day of May 1874.

Mr L. L. Thompson, (when his name was called) asked, and was excused from voting,

The vote was then announced as above.

Then

The majority report of the Committee was adopted.

And

The Substitute bill recommended thereby, was accordingly adopted in lieu of the original bill.

Mr J. N. Perry, (Mr Reed in the chair) moved that the bill be amended by striking out in the proviso to section 2. the words "that neither the said Joseph Brooks nor any," and inserting in lieu thereof the words "that no".

Which was agreed to. Then,

On motion of Mr Pindall, The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas: 58.
Nays: 4.
Not Voting: 20.

Those who voted in the affirmative are:

Mr O. P. Anderson,
H. H. Arnold,
H. H. Barton,
A. E. Beardsley,
W. A. Beasley,
D. Bidenthal,
D. D. Brock,
Nell Brown,
J. B. Burton.

Mr W. B. Carter,
W. H. Cate,
David Chandler,
J. B. Chapline,
Charles Coffin,
B. H. Crowley,
J. Doswell,
L. W. Davis,
J. H. Davies.

Mr Mr. Mr. Suffin,
J. P. Eagle,
Mr. Mr. Erwin,
A. W. Files,
J. Mr. Foster,
L. D. Gilbreath,
J. Mr. Gist,
J. W. Gassett,
D. G. Hart.

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Mr. E. Hawkins.
 Mr. Nixon.
 W. W. Hughes.
 D. J. Hynds.
 A. S. King.
 B. W. Johnson.
 C. C. Johnson.
 L. L. Johnson.
 R. Joyner.
 P. H. Lester.

Mr. A. J. Marsh.
 L. B. Mitchell.
 William Murphy.
 W. D. McCallum.
 B. McQuire.
 D. J. Montgomery.
 X. J. Pindall.
 J. D. Preston.
 W. H. C. Reid.
 J. V. Smith.

Mr. J. J. Sumpter.
 J. M. Thompson.
 J. W. Thomason.
 J. D. W. Diller.
 J. P. Venable.
 John C. Walker.
 J. V. Wheeler.
 A. J. White.
 L. C. White.
 Joseph Wright.
 The Speaker.

Those who voted in the negative, are

Mr. J. D. Conway, Mr. H. Foreman, Mr. G. B. Scott, Mr. J. W. Williams.

Those absent or not voting, are:

Mr. J. A. Ansley.
 C. E. Berry.
 Thos. Barrow.
 J. Cleveland.
 J. V. Cunningham.
 D. M. Jacks.
 A. R. Johnson.

Mr. J. E. Joslyn.
 R. Lee.
 P. McBowen.
 Robert Polk.
 H. M. Purefoy.
 O. P. Richardson.
 J. C. Rollins.

Mr. A. H. Speare.
 J. S. Stephenson.
 S. L. Strong.
 S. P. Swepton.
 L. L. Thompson.
 C. W. Tankersley.

So the bill was passed.

Pending the vote,

Mr. L. L. Thompson, (when his name was called) asked and was by unanimous consent excused from voting.

The vote was then announced as above.

By unanimous consent,

Mr. Walker, from the Committee on Auditor's and Treasurer's Books, submitted the following report, viz:

Mr. Speaker:

Your committee on Auditor's and Treasurer's Books, beg leave to submit the following report: That we have waited

May 26, 1874.

upon the Treasurer, and find that he has on hand the sum of \$155,000. in State Scrip, which belongs to the School Fund, and is subject to be drawn upon Auditor's Warrants, for that purpose.

We also, find in the vaults of the Treasury, a vast amount of cancelled State Scrip, which is accumulating annually, and in our opinion, will require at least two months hard labor for good accountants to count the same and transfer to the present Treasurer. And we, your committee, recommend the passage of the following Bill, which will disincumber the State of said cancelled scrip.

Whereupon,

Mr Walker, from the same Committee introduced a bill (H. R. 74) entitled, an act to provide for the cancellation of State Scrip and destruction of the same.

Which was read a first time.

By unanimous consent, Under a suspension of the rules.

The bill was read a second time by title.

By unanimous consent,

On motion of Mr Walker,

The rules

were further suspended.

And,

The bill was read a third time, and placed upon its passage.

The question being put,

Shall the bill pass?

It was decided in the affirmative.

{	Yeas	42.
	Nays	18.
	Not Voting	22.

Those who voted in the affirmative,

are:

May 26, 1874.

Mr O. P. Anderson,
H. H. Arnold,
H. H. Barton,
A. E. Beardsley,
W. A. Beasley,
D. Bridenthal,
D. D. Brock,
Neill Brown,
J. B. Burton,
W. B. Carter,
W. H. Cate,
David Chauder,
J. P. Chapline,
Charles Coffin.

Mr J. D. Conway,
T. Aswell,
L. W. Davis,
J. F. Davies,
J. P. Eagle,
W. W. Erwin,
W. Foreman,
L. D. Gilbreath,
J. W. Gossett,
D. G. Hart,
W. E. Hawkins,
W. Nixon,
H. D. King,
B. W. Johnson.

Mr C. C. Johnson,
L. L. Johnson,
H. J. March,
William Murphy,
D. J. Montgomery,
J. T. Preston,
W. H. C. Reid,
G. S. Scott,
J. W. Thompson,
John C. Walker,
A. J. Wheat,
J. W. Williams,
Joseph Knight,
The Speaker.

Those who voted in the negative, are:

Mr B. H. Crowley, A. W. Files, J. M. Gist, W. W. Hughey, D. J. Hynds, R. Joyner, L. B. Mitchell, W. J. McClaw, X. J. Pindall, J. V. Smith, J. J. Sumpter, S. P. Swepton, J. W. Thomason, L. L. Thompson, J. J. W. Tiller, J. P. Venable, J. F. Wheeler, L. C. White.

Those absent or not voting, are:

Mr J. A. Analey,
C. E. Berry,
Thos. Barrow,
J. H. Cunningham,
W. W. Duffie,
J. M. Foster,
D. M. Jacks.

Mr A. R. Johnson,
J. E. Joslyn,
R. Lee,
A. H. Lester,
P. M. Cowen,
B. M. Guire,
Robert Polk.

Mr H. M. Curefoy,
O. P. Richardson,
J. C. Rollins,
P. H. Spears,
J. S. Stephenson,
S. L. Strong,
J. Cleveland,
C. W. Fankensley.

So the bill was passed.

The Hour of 4 o'clock P.M. having arrived,

The House proceeded to consider the special order set for that hour, being the consideration of the bill of the House (H. R. 40.) entitled, an Act to establish supervision of Insurance Companies, by the Secretary of State, and for other purposes.

May 26, 1874.

Then,

On motion of Mr Chapline.

The consideration of the Special Order, was postponed for thirty minutes.

By unanimous consent,

Mr Reed, from the Committee of Ways and Means, to whom was referred the bill of the House (H. R. 67.) entitled, An Act to provide for and fix the salaries of Assessors in the several Counties in this State, reported the same, and submitted the following report thereon, which was read, viz:

Mr Speaker:

The Committee on Ways & Means, to whom was referred House Bill No. 67. An Act to provide for and fix the salaries of Assessors in the several Counties in this State. beg leave to submit the following:

That they have had the same under consideration and herewith return the bill, with the recommendation that the Representatives from the various Counties be allowed to fix the salaries of the Assessors of their respective Counties, and with said recommendation recommend the passage of the same.

Whereupon,

On motion of Mr Chapline,

The House resolved itself into the Committee of the Whole House, for the further consideration of the bill last reported.

After some time spent therein,

The Speaker, resumed the chair, And,

Mr Chapline, reported that the Committee having according to order, had under consideration the bill of the House (H. R. 67.) entitled, An Act to provide for and fix the salaries of Assessors in the several Counties in this State, had made progress therein, and asked leave to sit again.

By unanimous consent,

Mr Davis, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 36) entitled, An Act for the re-assessment of the real estate, of the

May 26. 1874.

Committee of Pope and Jefferson, reported the same and recommended a Substitute therefor, entitled, an Act to provide for the re-assessment of the real estate of the several counties in the State of Arkansas.

The report of the Committee was adopted.

And

The Substitute was accordingly adopted, in lieu of the original bill.

Whereupon,

On motion of Mr Eagle,

The bill was amended by striking out all of Section 2.

The hour of 4 o'clock and 30 minutes having arrived:

The House resumed consideration of the special order postponed to that hour, being the consideration of the bill of the House (H. R. 40) entitled, an Act to establish supervision of Insurance Companies, by the Secretary of State, and for other purposes.

Mr Pindall moved that the further consideration of the bill be postponed for thirty minutes.

Which was not agreed to.

Then

The bill was read a third time.

passage

And placed upon its

The question being put,

Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	51.
	Nays.	2.
	Not voting:	29.

Those who voted in the affirmative,

Are:

May 26, 1874.

Mr O. P. Anderson,
 H. H. Arnold,
 H. H. Barton,
 A. E. Beardsley,
 W. H. Beasley,
 D. Bridenbath,
 L. D. Brock,
 Neill Brown
 J. B. Burton,
 W. B. Carter,
 David Chandler,
 Charles Coffin,
 J. D. Conway,
 L. W. Davis,
 J. F. Davies,
 W. W. Duffie
 J. P. Eagle.

Mr A. W. Files,
 W. Foreman,
 J. M. Foster,
 L. D. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. H. Hart,
 M. E. Hawkins,
 M. Hixon,
 D. J. Hynds,
 A. D. Kriig,
 C. C. Johnson,
 L. L. Johnson,
 A. Joyner,
 O. K. Lester,
 A. J. Marsh,
 L. B. Mitchell

Mr William Murphy,
 W. J. McCallan,
 B. M. Guire,
 D. J. Montgomery,
 X. J. Pindall,
 J. J. Preston,
 W. H. C. Reid,
 J. T. Smith,
 J. J. Slaughter,
 L. L. Thompson,
 J. D. W. Tiller,
 J. P. Venable,
 John C. Walker,
 J. T. Wheeler,
 A. J. Wheat,
 J. W. Williams,
 The Speaker.

Those who voted in the negative, are:

Mr W. W. Erwin. Mr T. W. Thomason.

Those absent or not voting, are:

Mr J. A. Ansley,
 C. E. Berry,
 Thos. Barrow,
 W. H. Cate,
 J. D. Chapline,
 J. Cleveland,
 B. H. Crowley,
 J. T. Cunningham,
 F. Doswell,
 W. W. Hughey,
 J. M. Jacks,
 A. R. Johnson,
 B. W. Johnson,
 J. E. Joslyn,
 R. Lee.

Mr O. McCowen,
 Robert Polk,
 H. M. Purefoy,
 O. P. Richardson,
 J. C. Rollins,
 G. S. Scott,
 P. H. Spears,
 J. S. Stephenson,
 S. L. Strong,
 S. A. Sweptown,
 J. M. Thompson,
 C. W. VauKersley,
 L. C. White,
 Joseph Wright.

May 26, 1874.So the bill was passed.

Mr Nixon, moved that the rule be suspended, and that the House pass to the consideration of the bill of the House (H. R. 62.) entitled, An Act to authorize the location of the County seat of Barber County.

Which was not agreed to (two-thirds of the members present not voting therefor.)

By unanimous consent,

On motion of Mr Davis, The House resumed consideration of the Substitute for the bill of the House (Sub. H. R. 36.) entitled, an Act to provide for the re-assessment of the real estate of the several Counties in the State of Arkansas.

Which was read a third time, and placed upon its passage.

Pending the consideration of the Bill.

After debate.

Mr Joyner, at 5 o'clock and 14 minutes P.M. moved that the House adjourn.

Which was not agreed to.

The question being on the passage of the bill.

After further debate.

Mr White, moved the previous question, which was seconded, and the main question ordered, viz:

Shall the bill pass?

The question being put.

It was decided in the affirmative.

Yeas.	58
Nays.	1
Not voting.	23.

Those who voted in the affirmative, are:

May 26, 1874.

Mr O. A. Anderson,
 H. H. Arnold,
 H. H. Barton,
 A. E. Beardsley,
 D. Bridenthal,
 D. D. Brock,
 Nell Brown,
 J. B. Burton,
 W. B. Carter,
 W. H. Cate,
 David Chaudler,
 J. B. Chaplin,
 Charles Coffin,
 J. D. Conway,
 D. H. Crowley,
 F. Dosewell,
 L. W. Davis,
 J. T. Davies,
 W. W. Duffie,
 J. P. Eagle.

Mr A. W. Files,
 W. Foreman,
 J. M. Foster,
 L. D. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. G. Hart,
 M. E. Hawkes,
 M. Nixon,
 D. J. Hynds,
 A. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 B. Joyner,
 R. H. Lester,
 A. J. Marsh,
 L. B. Mitchell,
 William Murphy,
 B. M. Guro.

Mr S. J. Montgomery,
 J. J. Preston,
 W. H. C. Reed,
 G. S. Scott,
 J. F. Smith,
 J. J. Supter,
 S. O. Sweepston,
 J. M. Thompson,
 J. W. Thomason,
 J. J. W. Tiller,
 J. P. Venable,
 John C. Walker,
 J. T. Wheeler,
 A. J. Wheat,
 L. C. White,
 J. W. Williams,
 Joseph Wright,
 The Speaker.

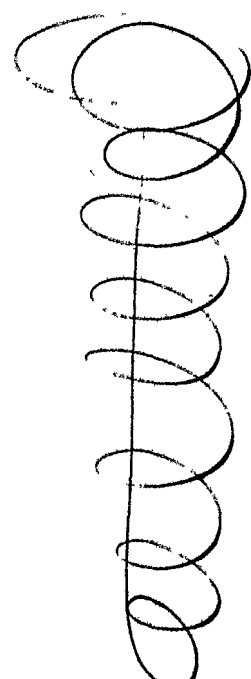
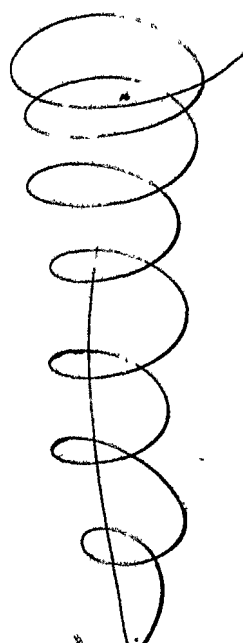
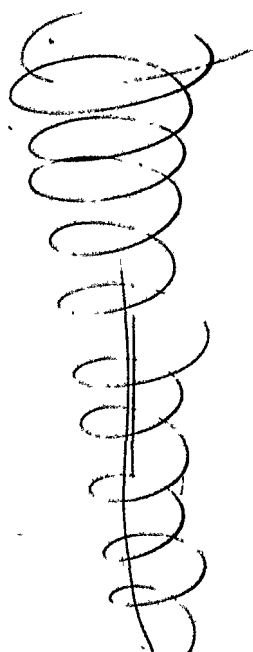
Voting in the negative: Mr. W. W. Erwin.

Those absent or not voting are

Mr J. A. Ansley,
 W. A. Beasley,
 C. E. Berry,
 Thos. Barrow,
 J. Cleveland,
 J. T. Cunningham,
 W. W. Hughes,
 D. M. Jacks.

Mr A. R. Johnson,
 J. E. Joslyn,
 A. Lee,
 W. J. McCallan,
 O. M. Cowen,
 X. J. Pindall,
 Robert Polk,
 H. M. Purfoy.

Mr O. P. Richardson,
 J. C. Rollins,
 A. H. Spears,
 J. S. Stephenson,
 S. L. Strong,
 L. L. Thompson,
 C. W. VanKensley.



May 26, 1874.

So the bill was passed.

On motion of Mr Chaplin,

The House proceeded to consider the bill of the House (H. R. 67) entitled, An Act to provide for and fix the salaries of assessors, in the several counties in this State.

And

On motion of Mr Chaplin,

The House again resolved itself into the Committee of the Whole House, for the further consideration of the bill.

After some time spent therein.

The Speaker resumed the Chair.

And

Mr Chaplin, reported that the Committee having according to order had under consideration the bill of the House (H. R. 67) entitled an act to provide for and fix the salaries of the assessors in the several counties in this State, had considered the same, and recommended that the bill be amended, as follows:

After the words "Arkansas County", strike out \$800. and insert in lieu thereof \$500.

After "Ashley County", strike out \$800. and insert in lieu thereof \$500.

After "Bradley County", strike out \$600. and insert \$500.

After "Benton County", strike out \$800. and insert \$500.

After "Doone County", strike out \$600. and insert \$500.

After "Crittenden County", strike out \$800. and insert \$600.

After "Cross County", strike out \$500. and insert \$400.

After "Carroll County", strike out \$400. and insert \$300.

After "Chicot County", strike out \$800. and insert \$500.

After "Clark County", strike out \$800 and insert \$500.

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After "Columbia County," strike out \$600. and insert \$800.

After "Conway County," strike out \$600. and insert \$500.

After "Dallas County," strike out \$400. and insert \$300.

After "Drew County," strike out \$800. and insert \$500.

After "Desha County," strike out \$700. and insert \$500.

After "Franklin County," strike out \$600. and insert \$500.

After "Fulton County," strike out \$400. and insert \$300.

After "Greene County," strike out \$500. and insert \$400.

After "Grant County," strike out \$400. and insert \$300.

After "Hempstead County," strike out \$1000. and insert \$600.

After "Hot Springs County," strike out \$600. and insert \$400.

After "Garland County," strike out \$500. and insert \$400.

After "Izard County," strike out \$400. and insert \$300.

After "Independence County," strike out \$700. and insert \$500.

After "Jefferson County," strike out \$1000. and insert \$1500.

After "Johnson County," strike out \$600. and insert \$500.

After "Jackson County," strike out \$600. and insert \$800.

After "Marion County," strike out \$400. and insert \$500.

After "Montgomery County," strike out \$300. and insert \$400.

After "Mississippi County," strike out \$500. and insert \$400.

After "Pulaski County," strike out \$1000. and insert \$2000.

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After "Phillips County," strike out \$900. and insert \$800.

After "Perry County," strike out \$400. and insert \$300.

After "Prairie County," strike out \$600. and insert \$500.

After "Sebastian County," strike out \$700. and insert \$800.

After "Washington County," strike out \$800. and insert \$500.

After "White County," strike out \$800. and insert \$700.

After "Tell County," strike out \$800. and insert \$700.

After "Lonoke County," strike out \$600 and insert \$550.

After "Dorsey County," strike out \$600. and insert \$400.

After "Stone County," strike out \$500. and insert \$300.

After "Baxter County," strike out \$500. and insert \$300.

After "Sarber County," strike out \$500. and insert \$400.

After "Faulkner County," strike out \$600. and insert \$500.

After "Lee County," strike out — \$700. and insert \$500.

After "Lincoln County," strike out \$600. and insert \$500.

After "Nevada County," strike out \$500. and insert \$400.

And also,

That the bill be further amended by adding to Section 2. the following words: "Which said sums shall be paid pro rata, out of the several funds collected; which said pro rata shall be ascertained by the County Clerk of each County, and certified by him to the Collector within five days after each annual settlement of such Collector."

Whereupon,

The report of the Committee of the Whole House was adopted.

May 26, 1874.

And

The amendments were accordingly agreed to.

Then

On motion of Mr Sumpster,

Ordered, That the bill be engrossed for a third reading, and made special order for 10 o'clock A. M. on the morrow.

Mr Murphy, sent to the Clerk's table the following explanation and asked that it be spread upon the Journal, viz:

Mr Speaker:

I desire to have my name recorded in favor of the bill authorizing a Constitutional Convention, and for the following reasons:

I deem it my duty as a Citizen, and a Member of this House, to tender my unqualified support to the Governor of this State and the legally constituted authorities thereunder.

In doing this, I am only governed by the highest dictates of conscience, and my duty to my constituents; I recognize Governor Baxter, as the legal Governor of this State, and as such I tender him my undivided support.

Being a law-abiding citizen, I cannot afford to rest under the imputation of even an implied support of a played-out political faction.

Mr Brock, at 6 o'clock and 6 minutes P. M. moved that the House adjourn until 9 o'clock A. M. on the morrow.

Mr Davies, moved as a substitute that the House adjourn. Which latter motion was not agreed to.

The question occurring on the original motion, It was agreed to.

And Thereupon,

The House at 6 o'clock and 7 minutes P. M. adjourned, until 9 o'clock A. M. on the morrow.

Approved:

Chris C. Rice Jr.

Clerk of the House.

James W. Benson
Speaker of the House.

House of Representatives.

Wednesday, May 27, 1874.

The House met at 9 o'clock A. M.

The Roll being called, it appeared that the following named members were present and answered to their names, viz:

Mr O. P. Anderson,	Mr A. W. Files	Mr William Murphy,
H. H. Arnold,	W. Foreman,	W. J. McCallum,
H. H. Barton,	J. M. Foster,	B. McQuinn,
W. A. Beasley,	L. D. Gilbreath,	X. J. Pindill,
D. Bidenthal,	J. M. Gist,	J. D. Preston,
D. D. Brock,	J. W. Gossett,	W. H. C. Reid,
Neill Brown,	D. G. Hart,	G. S. Scott,
J. B. Burton,	Mr E. Hawkins,	J. T. Smith,
W. B. Carter,	Mr Nixon,	S. P. Swepton,
W. H. Cate,	W. W. Hughey,	J. M. Thompson,
David Chandler,	D. J. Hynds,	J. W. Thomason,
J. D. Chapline,	J. M. Jacks,	L. L. Thompson,
Charles Coffie,	A. D. King,	J. D. W. Tiller,
J. D. Conway,	B. W. Johnson,	J. P. Venable,
L. W. Davis,	C. C. Johnson,	John C. Walker,
J. F. Davies,	L. L. Johnson,	J. F. Wheeler,
Mr. Mr. Duffie,	A. Joyner,	A. J. Wheat,
J. P. Eagle,	A. M. Lester,	L. C. White,
Mr. Mr. Erwin,	A. J. Marsh,	J. W. Williams,
	Joseph Wright,	The Speaker.

Prayer by Mr C. C. Johnson.

The Journal of Tuesday was read and approved.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber,

Little Rock, Ark. May 27th 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable of the concurrence by the Senate in the House amendments to Senate

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Bill # 15. entitled, a bill supplementary to & amendatory of an Act providing for a convention of the people of the State, to frame a new constitution.

Also of the passage by the Senate of Senate Bill No. 23. an act to be entitled, an act for the regulation of the Practice of Medicine and Surgery in the State of Arkansas. and herewith respectfully transmit the same.

I am also, instructed by the Senate to report to you the adoption by the Senate of the following resolution:

Resolved,

That at half past twelve o'clock P. M. on the first Monday in December next, the same being the seventh day of that month, the Senate of the State of Arkansas, will proceed to consider the impeachment of John Mc. Clure, Chief Justice of the Supreme Court of the State of Arkansas, ^{and Stephen Wheeler, Auditor of the State of Arkansas.} at which time the oath or affirmation required by the rules of the Senate, sitting for the trial of an impeachment, shall be administered by the President of the Senate, as the presiding officer of the Senate sitting as aforesaid, to each member of the Senate; and that the Senate sitting as aforesaid, will at the time aforesaid, receive the managers appointed by the House of Representatives.

Ordered, that the Secretary lay this resolution before the House of Representatives.

Ordered, that the Articles of Impeachment, exhibited against John Mc. Clure Chief Justice of the Supreme Court of the State of Arkansas and Stephen Wheeler, Auditor of the State of Arkansas, be printed.

Ordered, that a copy of the rules of procedure and practice in the Senate when sitting on trial of Impeachments, be communicated by the Secretary to the House of Representatives, and a copy thereof delivered by him to each member of the House.

Mr White, moved that the House pass to the consideration of the Articles of Impeachment, heretofore submitted by the Select Committee on Impeachment.

Mr Pindall, moved as a Substitute, that the House pass to the consideration of the bill of the House (H. R. 47.) entitled, an act authorizing the appropriation of the revenues of the Counties of Jefferson

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and Lincoln, for certain purposes.

Pending which,

Mr B. W. Johnson,

from the Committee on Enrolled Bills, reported correctly enrolled, the bill of the House (N. R. 3.) entitled, an act to change the boundary line between the Counties of Monroe and Prairie.

Also, the bill of the House (N. R. 7.) entitled, an act to repeal an act entitled, an act to define the duties of the Clerk of Pulaski County.

Also, the bill of the House (N. R. 12.) entitled, an act to prevent frauds in the disbursement of the public School Funds, and for other purposes.

Also, the bill of the House (N. R. 14.) entitled, an act providing for the removal of the County seat of Desha County.

The question being on the motion that the House pass to the consideration of the bill of the House (N. R. 47.) entitled, an act authorizing the appropriation of the revenues of the Counties of Jefferson and Lincoln, for certain purposes.

It was agreed to.

Whereupon,

By unanimous consent, Mr Pindall, from the Committee on the Judiciary, to whom was referred the bill of the House (N. R. 47.) entitled, an act authorizing the appropriation of the revenues of the Counties of Jefferson and Lincoln, for certain purposes, reported the same, and recommended a substitute therefor, entitled, an act authorizing the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same.

The report of the Committee was adopted.

And

The Substitute was accordingly adopted in lieu of the original bill.

Then

Under the ruling of the Speaker.

The bill was read a

first time.

On motion of Mr Pindall, the rules were suspended.

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(two-thirds of the members present voting therefor.) And,

The bill was read a second time by title.

And

On motion of Mr Pindall,

The rules were further suspended,

(two-thirds of the members present voting therefor)

And

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	50.
	Nays.	11.
	Not Voting.	21.

Those who voted in the affirmative, are:

Mr O. P. Anderson,	Mr L. D. Gilbreath,	Mr W. J. McCallaw
H. H. Arnold,	J. W. Gist,	B. M. Geire,
H. H. Barton,	J. W. Gossett,	X. J. Pindall,
H. E. Beardsley,	D. G. Hart,	J. T. Preston,
D. D. Brock,	Mr E. Hawkins,	W. H. C. Reed,
J. B. Burton,	Mr Nixon,	J. J. Sumpter,
W. B. Carter,	W. W. Hughey,	J. M. Thompson,
David Chandler,	D. J. Hynds,	J. D. W. Diller,
Charles Coffin,	A. D. King,	J. P. Venables,
J. D. Conway,	B. W. Johnson,	John C. Walker,
F. Doswell,	C. C. Johnson,	J. T. Wheeler,
L. W. Davis,	L. L. Johnson,	A. J. Wheat,
J. T. Davies,	R. Joyner,	L. C. White,
J. P. Eagle,	P. M. Lester,	J. W. Williams,
Mr M. Erwin,	A. J. Marsh,	Joseph Wright,
A. W. Files,	L. B. Mitchell,	The Speaker,
W. Foreman,	William Murphy,	

Those who voted in the negative, are:

Mr W. A. Beasley, D. Bridenthal, Neill Brown, W. H. Cate, J. B. Chapman, B. H. Crowley, J. M. Foster, D. J. Montgomery, G. S. Scott, J. F. Smith

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S. P. Sweepston.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr A. R. Johnson.	Mr J. C. Rollins.
C. E. Berry.	J. E. Joslyn.	A. H. Spears.
Thos. Barrow.	A. Lee.	J. S. Stephenson.
J. Cleveland	P. M ^c . Bowen.	S. L. Strong.
J. W. Cunningham.	Robert Polk.	D. W. Thomason.
W. W. Duffie.	H. M. Purefoy.	L. L. Thompson.
D. M. Jacks.	O. P. Richardson.	C. W. Vaukensley.

So the bill was passed.

Pending the vote:

Mr Pridenthal, (when his name was called) sent to the Clerk's table the following explanation of his vote, to which was attached the name of Mr. Beasley, and asked that the same be spread upon the Journal, viz:

Mr Speaker:

I never have been the friend of corrupt Bondholders. I have taken an oath to support the Constitution; this bill is, in my mind, unconstitutional, and therefore, I vote No.

Mr Montgomery, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

While I am as willing and as ready to aid in an appropriation to pay the soldiers and non-commissioned officers who have so readily responded to the call of Governor Baxter, I cannot vote for this bill, as it in my opinion, conflicts with the plain provisions of the Constitution of the State.

Mr Sweepston, (when his name was called,) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

I vote no, with the following explanation, viz:

May 27, 1874.

1st It is sought to rush the bill through without due consideration.

2nd The appropriation of the Sinking Fund to such a purpose, is a palpable violation of Sections Nine and Eleven of Article Ten, of the Constitution, of Arkansas.

3. That while I am in favor of paying the soldiers by a lawful appropriation & any and all just liabilities, I shall resist all violent and partizan attempts to subvert the Constitution, which I have taken an oath to support.

4th The act is without a precedent, is unlawful and partizan, and equal to and exceeds some of the violent and partizan measures of Clayton & Co or Tweed & Co.

Mr L. L. Thompson, (when his name was called) asked and was by unanimous consent, excused from voting.

Mr Davies, before the vote was announced, sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal:

Mr Speaker:

The bill does not violate any of the provisions of the Constitution. That it is in the interest of the State to pass this bill as it furnishes a speedy means of liquidating with currency a host of debts which justly have a prestige over all ordinary debts of the State; it is for these reasons, that I vote Aye.

Mr Chaplin, before the vote was announced, sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

In accordance with Gov. Baxter's message and believing this bill to be unconstitutional, and not treating the creditors at home & abroad with justice, I vote No.

Mr Wheat, subsequently sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal.

May 27, 1874.

As the constitutionality of this bill has been called in question, and feeling confident that there will be a clearing of the Supreme incumbents and a good prospect of filling their places with men that are willing to pay the lawful claims of putting down the rebellion, I therefore, vote Aye.

The vote was then announced as above.

Under a suspension of the rules for that purpose.

Mr Hughey, moved that the Speaker be authorized to appoint a Committee of Three, to call upon the Governor and ascertain by what authority Jefferson County was placed under Martial Law, and whether or not it is yet under Martial Law - and if a necessity now exists for longer suspending the Civil Law in said County.

Mr Sumpter moved that the motion lie on the table.

Which was not agreed to. The question being on the motion submitted by Mr Hughey.

Mr Wheat, moved as a Substitute, that a Committee of three be appointed to wait on the Governor, and enquire whether or not Jefferson County is now under Martial Law.

On motion of Mr Chapline,

Ordered, that the Substitute motion be rejected.

The original motion was then agreed to.

And

The Speaker, appointed as such Committee Mr W. W. Hughey, J. J. Sumpter and L. C. White.

The Speaker, appointed Mr L. W. Davis, Charles Coffin and L. L. Thompson, on the part of the House, as a Joint Committee under the provision, of a Joint Resolution providing for the appointment of a joint committee of the two Houses of the General Assembly, to ascertain and report who was in charge of and responsible for the sinking of the Steamer "Hallie."

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The hour of 10 o'clock A.M., having arrived, The House proceeded to consider the special order set for that hour, being the consideration of the bill of the House (H. R. 67.) entitled, an Act to provide for and fix the salaries of assessors in the several Counties in this State.

Whereupon,

On motion of Mr Davis,

The further consideration of the special order was postponed for one hour.

On motion of Mr White,

The House passed to the consideration of the Articles of Impeachment heretofore submitted by the Select Committee on Impeachment, against Elhanan J. Searle, one of the Associate Justices of the Supreme Court of the State of Arkansas, for high crimes and misdemeanors in office, which were read, as follows: -

Articles.

Exhibited by the House of Representatives of the State of Arkansas, in the name of themselves and all the People of said State, against Elhanan J. Searle, as Associate Justice of the Supreme Court of the State of Ark. in maintenance and support of their Impeachment against him for High Crimes and Misdemeanors in office.

Article I.

That the said Elhanan J. Searle, being Associate Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted Government of said State and did then and there levy war against the said State of Arkansas, contrary to the Constitution and laws of said State; whereby the said Elhanan J. Searle, did then and there commit, and was guilty of, a high crime in office.

May 27. 1874.Article II.

That the said Elhanan J. Searle, being Associate Justice of Supreme Court of the State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted authorities and Government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the Constitution and Laws of said State; whereby the said Elhanan J. Searle, did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said Elhanan J. Searle, being Associate Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evilly disposed persons by force to usurp the Government of the State, and did make forcible attempts to accomplish the said illegal purpose, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office," Approved February 27. 1873, whereby the said Elhanan J. Searle, did then and there commit, and was guilty of, a high crime in office.

Article IV.

That the said Elhanan J. Searle, being Associate Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks and other evil-minded persons to overturn the Government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly

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of said State, entitled "An Act to Punish Usurpation in Office", Approved, February 27. 1873; whereby the said Elhanan J. Searles, did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said Elhanan J. Searles, being Associate Justice of the Supreme Court of the State, as aforesaid, did heretofore, to wit: on the 15. day of April 1874. at the County of Pulaski in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evil-minded persons, to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose levied war on said State, contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to Punish Usurpation in Office", Approved February 27. 1873; whereby the said Elhanan J. Searles, did then and there commit, and was guilty of, a high crime in office.

Article VI.

That the said Elhanan J. Searles, being Associate Justice of the Supreme Court of the State, as aforesaid, did, heretofore, to wit: On or about the 7th day of May A. D. 1874. at the County of Pulaski, in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously connive, combine & conspire with one Joseph Brooks and other evil-minded persons by fraudulently & corruptly rendering and making a judgment in favor of and to the benefit of said Joseph Brooks, and the evil-minded persons therein interested; contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled, "An Act to Punish Usurpation in Office", Approved February 27. 1873; whereby the said Elhanan J. Searles, did then and there commit, and was guilty of, a high crime in office.

The question being on the adoption of the Articles of Impeachment.

Mr Sumpter, asked for the Yeas and Nays.

May 27, 1874.

The question being put,

Shall the Articles of Impeachment against
 Elhanan J. Searle, one of the Associate Justices of the Supreme Court of
 Arkansas, be adopted?

It was decided in the affirmative.

Yeas.	47.
Nays.	9.
Not Voting:	26.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. M. Foster.	Mr B. McQuire.
H. H. Arnold.	L. D. Gilbreath.	D. J. Montgomery.
H. H. Barton.	J. M. Gist.	J. D. Preston.
A. E. Deasley.	J. W. Gossett.	W. H. C. Reid.
W. A. Deasley.	D. G. Hart.	J. J. Slaughter.
D. G. Deidenthal.	Mr. Nixon.	J. W. Thomason.
J. B. Burton.	D. J. Hynds.	J. D. W. Teller.
W. D. Carter.	A. D. King.	J. P. Verrable.
David Chandler.	B. W. Johnson.	John C. Walker.
F. Doswell.	C. C. Johnson.	J. F. Wheeler.
L. W. Davis.	L. L. Johnson.	A. J. Wheat.
J. F. Davies.	A. Joyner.	L. C. White.
Mr. M. Duffie.	P. H. Lester.	J. W. Williams.
J. P. Eagle.	L. B. Mitchell.	Joseph Wright.
Mr. M. Enwin.	William Murphy.	The Speaker.
A. W. Files.	W. J. McCallum.	

Those who voted in the negative, are:

Mr Mill Brown, W. H. Cate, B. H. Crowley, W. Foreman, W. W. Hughey,
 G. S. Scott, S. P. Swepton, L. L. Thompson, J. B. Chapline.

Those absent or not voting, are:

Mr J. A. Ansley, C. E. Berry, Thos. Barrow, D. D. Brock, Charles Coffin, J. D. Conway, J.
 Cleveland, J. F. Cunningham, M. E. Hawkins, T. M. Jacks, A. R. Johnson, J. E. Joslyn,
 R. Lee, A. J. Marsh, P. M. Cowen, X. J. Pindall, Robert Pock, H. M. Purefoy, O. P. Rich-
 ards, J. C. Rollins, J. F. Smith, P. H. Spears, J. S. Stephenson, S. L. Strong, J. M. Thompson,
 C. W. Tarkersley.

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So the Articles of Impeachment were adopted.

Pending the vote:

Mr. Pruddenthal, (when his name was called,) sent to the clerk's table, the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr. Speaker:

Believing that Judge Searle, was not fairly elected, but held his office by fraud on the ballot- I vote- Aye. —

Mr. Sweepeston, (when his name was called,) sent to the clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

I vote no- Because the Articles of Impeachment against E. J. Searle, are not supported by evidence; and further, because it is only a partizan measure.

Mr. Pearley, before the vote was announced, sent to the clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr. Speaker:

In casting my vote on the impeachment of Judge Searle, is that he obtained his position as such Judge by fraud, and ballot box stuffing, counting him in by the same fraud that counted Brooks out. I vote- Yea.

The vote was then announced as above.

And

Elhanan J. Searle, one of the Associate Justices of the Supreme Court of Arkansas, was, at 11 o'clock and 35 minutes A. M. declared to be impeached, by the House of Representatives.

On motion of Mr. White.

The House passed to the consideration of the Articles of Impeachment, heretofore submitted by the Select Committee on Impeachment, against W. S. Oliver, the Sheriff of Pulaski County State of Arkansas, for high crimes and misdemeanors in office, which were read, as follows:

§

§

§

May 27, 1874.Articles.

Exhibited by the House of Representatives of the State of Arkansas, in the name of themselves and all the People of said State, against W. S. Oliver, as Sheriff of Pulaski County, State of Ark. in maintenance and support of their Impeachment against him for High Crimes and Misdemeanors.

Article I.

That the said W. S. Oliver, being Sheriff of Pulaski Co. State of Ark. as aforesaid, did heretofore, to wit, on the 15 day of April 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted government of said State, and did then and there levy war against the said State of Arkansas, contrary to the Constitution and Laws of said State; whereby the said W. S. Oliver, did then and there commit, and was guilty of, a high crime in office.

Article II.

That the said W. S. Oliver, being Sheriff of Pulaski Co. State of Ark. as aforesaid, did, heretofore, to wit, on the 15 day of April 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks, in armed insurrection against the lawfully constituted authorities and government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the constitution and laws of said State; whereby the said W. S. Oliver, did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said W. S. Oliver, being Sheriff of Pulaski Co. in the State of Ark. as aforesaid, did, heretofore, to wit, on the 15. day of April 1874. at the County of Pulaski in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evilly disposed persons by force to usurp the Government of the State, and did make forcible attempts to accomplish

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the said illegal purposes, contrary to the Constitution and Laws of said State and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office," Approved February 27, 1873; whereby the said W. S. Oliver, did then and there commit, and was guilty of, a high crime in office.

Article IV.

That the said W. S. Oliver, being Sheriff of Pulaski Co. of this State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1873, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks and other evil-minded persons, to overturn the Government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to Punish Usurpation in Office," Approved February 27, 1873; whereby the said W. S. Oliver, did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said W. S. Oliver, being Sheriff of Pulaski Co. in this State, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks, and other evil-minded persons to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose levied war on said State, contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to Punish Usurpation in Office," Approved February 27, 1873; whereby the said W. S. Oliver, did then and there commit, and was guilty of, a high crime in office.

Mr Pindall, moved that the articles of impeachment be recommitted to the Select Committee on Impeachment, with the instruction for the Committee to report the same back together with the evidence upon which they were based.

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After debate.

The motion was disagreed to.

The question being on the adoption

of the Articles of Impeachment.

Pending which.

A message from the

Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber.

Little Rock, May 27. 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Senate Bill No. 19. An act supplemental to an act providing for a convention of the People of the State of Arkansas, to frame a new Constitution; and herewith respectfully transmit the same for your favorable consideration.

W. W. Orrick, Secretary.

The question being on the adoption of the Articles of Impeachment.

After debate.

Mr Sumpter, asked for the Yeas and Nays.

The question being put.

Shall the Articles of Impeachment against W. S. Oliver, the Sheriff of Pulaski County Arkansas, be adopted?

It was decided in the affirmative.

{	Yeas.	37.
	Nays.	19.
	Not Voting:	26.

Those who voted in the affirmative, are:

Mr O. A. Anderson.	Mr Charles Coffin.	Mr M. M. Duffie.
H. H. Arnold.	J. D. Conway.	J. P. Eagle.
D. Bridenbhal.	F. Doswell.	Mr. Mr. Erwin.
J. B. Burton.	L. W. Davis.	A. W. Files.
David Chandler.	J. F. Davies.	L. D. Gilbreath.

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Mr J. W. Gossett.
D. G. Hart.
Mr. Nixon.
D. J. Hynds.
A. D. King.
C. C. Johnson.
L. L. Johnson.

Mr R. Joyner.
P. M. Lester.
L. B. Mitchell.
W. J. McClellan.
P. M. Guire.
W. H. C. Reid.
J. J. Sumpter.

Mr J. W. Thomason.
J. D. W. Diller.
J. P. Venable.
John C. Walker.
J. W. Wheeler.
A. J. Wheat.
L. C. White.
Joseph Wright.

Those who voted in the negative, are:

Mr H. H. Parlon, D. D. Brock, Neill Brown, W. B. Carter, W. H. Cate,
J. B. Chapline, B. H. Crowley, W. Foreman, J. M. Foster, J. M. Gist.
Mr. E. Hawkins, W. W. Hughey, B. W. Johnson, G. S. Scott, S. P. Swept-
ston, J. M. Thompson, L. L. Thompson, J. W. Williams, The Speaker.

Those absent or not voting, are:

Mr J. A. Ansley.
A. E. Beardsley.
W. A. Beasley.
C. E. Berry.
Thos. Barrow.
J. Cleveland.
J. T. Cunningham.
J. M. Jacks.
A. R. Johnson.

Mr J. E. Jacyln.
R. Lee.
A. J. Marsh.
William Murphy.
P. M. Cowen.
D. J. Montgomery.
X. J. Pindall.
Robert Folk.
J. T. Preston.

Mr H. M. Purefoy.
O. P. Richardson.
J. C. Rollins.
J. T. Smith.
F. H. Spears.
J. S. Stephenson.
S. L. Strong.
C. W. Dankersley.

So the Articles of Impeachment were adopted.

Mr Pridenthal, (when his name was called,) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

Believing that Sheriff Oliver was a ballot box stuffer.
I vote - Aye.

Mr Hughey, (when his name was called,) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

May 27, 1874.

Mr Speaker:

As no evidence has been produced to substantiate the charges against William S. Oliver, as Sheriff of Pulaski County; and as I cannot vote to punish a man on mere hear-say evidence, I unhesitatingly vote - No.

Mr Swopeston, (when his name was called,) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, Viz:

Mr Speaker:

On the Articles of Impeachment against Sheriff Oliver. I vote No. Because the impeachment unsupported by evidence is without a parallel in the history of impeachments or Judicial tribunals, a violation of the Constitution and justice herself.

The vote was then announced as above.

And

W. S. Oliver, the Sheriff of Pulaski County, Arkansas, was at 12 o'clock and 8 minutes P.M. declared to be impeached by the House of Representatives.

On motion of Mr Duffie.

The Articles of Impeachment against George A. Kingston, Circuit Judge of the Judicial Circuit - John Whytock, Circuit Judge of the Seventh Judicial Circuit and Edgar A. Nichols, Sheriff of Hot Springs County, Arkansas, be recommit-
ted to the Select Committee on Impeachment.

The House proceeded to consider the special order heretofore postponed for one hour, being the consideration of the bill of the House (H.R. 67.) entitled, an act to provide for and fix the salaries of assessors in the several counties in this State.

On motion of Mr Duffie.

The bill was amended by striking out \$300. after the words "Dallas County," and also after the words "Grant County," and inserting in lieu thereof \$400.

On motion of Mr Williams.

The bill was further amended by

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striking out \$800. after the words "Phillips County," and inserting in lieu thereof \$1100.

On motion of Mr. McCallaw.

The bill was further amended by striking out \$500, after the words "Independence County," and inserting in lieu thereof \$700.

Pending the suggestion of further amendments.

On motion of Mr. Piddall.

Ordered, That the bill lie on the table.

On motion of Mr. White,

The House passed to the consideration of the Articles of Impeachment heretofore submitted by the Select Committee of Impeachment, against John E. Bennett, one of the Associate Justices of the Supreme Court of the State of Arkansas, for high crimes and misdemeanors in office, which were read as follows:

Articles.

Exhibited by the House of Representatives of the State of Arkansas, in the name of themselves and all the People of said State, against John E. Bennett, as Associate Justice of the Supreme Court of the State of Ark., in maintenance and support of their Impeachment against him for High Crimes and Misdemeanors in office.

Article I.

That the said John E. Bennett, being associate Justice of the Supreme Court of the State of Ark. as aforesaid, did, heretofore, to wit, on the 15 day of April 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted Government of said State, and did then and there levy war against the said State of Arkansas, contrary to the Constitution and Laws of said State; whereby the said John E. Bennett, did then

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and there commit, and was guilty of, a high crime in office.

Article II.

That the said John E. Bennett, being Associate Justice of the Supreme Court of the State of Ark. as aforesaid, did, heretofore, to wit: on the 15th day of April 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted authorities and government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the Constitution and Laws of said State; whereby the said John E. Bennett, did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said John E. Bennett, being Associate Justice of the Supreme Court of the State of Ark. as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other willy disposed persons, by force to usurp the Government of the State, and did make forcible attempts to accomplish the said illegal purpose, contrary to the constitution and laws of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office", Approved February 27, 1873; whereby the said John E. Bennett, did then and there commit and was guilty of, a high crime in office.

Article IV.

That the said John E. Bennett, being Associate Justice of the Supreme Court of the State, as aforesaid, did heretofore, to wit, on the 15th day of April, 1874. at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks and other evil-minded persons, to overturn the government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State.

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and in violation of an Act of the General Assembly of said State, entitled "an Act to Punish Usurpation in Office", Approved February 27, 1873; whereby the said John E. Bennett, did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said John E. Bennett, being Associate Justice of the Supreme Court of the State of Ark. as aforesaid, did, heretofore, to wit, on the 15. day of April, 1874, at the County of Pulaski, in said State, being unmindful of the duties, of his said office, of his oath of office and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evil-minded persons to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose levied war on said State, contrary to the laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office", Approved February 27, 1873; whereby the said John E. Bennett, did then and there commit, and was guilty of, a high crime in office.

Article VI.

That the said John E. Bennett, being Associate Justice of the Supreme Court of the State aforesaid, did, heretofore, to wit: On or about the 7th day of May, A.D. 1874, at the County of Pulaski in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously connive, combine and conspire with one Joseph Brooks and other evil minded persons by fraudulently and corruptly rendering a decision and working a judgment in favor of and to the benefit of said Joseph Brooks and the evil minded persons with him therein interested, contrary to the Laws and Constitution of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to Punish Usurpation in Office", Approved February 27, 1873; whereby the said John E. Bennett, did then and there commit, and was guilty of, a high crime in office.

Mr Preston, moved that the further consideration of the Articles of Impeachment be postponed until 4 o'clock P.M.

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Which was not agreed to.

Mr Chaplin, moved that the House take a recess until 3 o'clock and 30 minutes P.M.

Which was not agreed to.

The question being on the adoption of the Articles of Impeachment.

Mr Sumpter, asked for the Yeas and Nays.

The question being put,

Shall the Articles of Impeachment against John E. Bennett, one of the Associate Justices of the Supreme Court, be adopted?

It was decided in the affirmative.

{	Yeas,	43.
	Nays,	7.
	Not Voting:	32.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
H. H. Arnold.
H. H. Barton.
A. E. Beardsley.
D. D. Bewick.
J. P. Burton.
W. D. Carter.
David Chandler.
Charles Coffin.
J. A. Conway.
F. Doswell.
L. W. Davis.
M. M. Duffie.
J. P. Eagle.

Mr M. M. Erwin.
A. W. Files.
J. M. Foster.
L. D. Gilbreath.
J. M. Gist.
J. W. Gossett.
A. G. Hart.
M. Nixon.
D. J. Hynds.
A. D. King.
C. C. Johnson.
L. L. Johnson.
R. Joyner.
P. H. Lester.

Mr L. D. Mitchell
H. J. McClaw.
A. J. Montgomery.
J. D. Preston.
W. H. C. Reid.
J. J. Sumpter.
J. W. Thomason.
J. D. W. Tiller.
J. P. Venable.
John C. Walker.
J. H. Wheeler.
A. J. Wheat.
L. C. White.
Joseph Wright.
The Speaker.

Those who voted in the negative, are:

Mr Will Brown, W. H. Cate,
J. B. Chaplin, B. H. Crowley, J. D. Davies, W. Foreman, J. M. Thompson,

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Those absent or not voting, are:

Mr. J. A. Askey.	Mr. B. W. Johnson.	Mr. J. C. Rollins.
W. A. Beasley.	J. E. Joslyn.	G. S. Scott.
C. E. Berry.	B. Lee.	J. T. Smith.
Thos. Barrow.	A. J. Marsh.	A. H. Spears.
D. Bridenbath.	William Murphy.	J. S. Stephenson.
J. Cleveland.	P. M. Cowen.	S. L. Strong.
J. H. Cunningham.	D. McGuire.	S. P. Swepton.
Mo. E. Hawkins.	X. J. Pindall.	L. L. Thompson.
W. W. Hughey.	Robert Polk.	C. W. Zanklesky.
D. M. Jacks.	H. M. Purefoy.	J. W. Williams.
A. R. Johnson.	O. P. Richardson.	

So the Articles of Impeachment were adopted.

And

John E. Bennett, one of the Associate Justices of the Supreme Court of Arkansas, was, at 12 o'clock and 25 minutes P.M. declared to be impeached by the House of Representatives.

By unanimous consent.

Mr. Eagle, introduced a bill (H. R. 75.) entitled, An Act to attach the County of Lonoke to the First Congressional District.

Which was read a first time.

By unanimous consent,

under a suspension of the rules

The bill was read a second time by title.

Mr. Pindall, moved that the bill be amended by inserting after words "Lonoke County," the words "and Stone County."

Which was not agreed to.

Mr. Pind. moved that the bill be referred to the Committee on the Judiciary, with instruction to amend the bill by inserting the names of Counties not now included in Congressional Districts, in their appropriate Districts

Which was not agreed to.

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Mr Preston, moved that the bill be referred to the Committee on Apportionment.

Which was not agreed to.

Then

On motion of Mr Eagle,

The rules were further suspended (two-thirds of the members present voting therefor.)

And

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	49.
	Nays.	None.
	Not Voting:	33.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. P. Eagle.	Mr P. K. Lester.
H. H. Arnold.	Mr. Mr. Erwin.	L. B. Mitchell.
H. H. Barton.	A. W. Files.	W. J. McClellan.
W. A. Beasley.	W. Foreman.	D. J. Montgomery.
D. Bridenbath.	J. M. Foster.	J. D. Preston.
D. D. Brock.	L. D. Gilbreath.	W. H. C. Ried.
J. B. Burton.	J. M. Gist.	J. J. Slaughter.
W. B. Carter.	J. H. Gossett.	J. M. Thompson.
W. H. Cate.	D. G. Hart.	D. W. Thomason.
David Chandler.	Mr. Nixon.	J. D. W. Tiller.
Charles Coffin.	W. W. Hughey.	J. P. Venable.
J. D. Conway.	D. J. Hynds.	John C. Walker.
B. H. Crowley.	A. D. King.	J. T. Wheeler.
F. Doswell.	C. C. Johnson.	A. J. Wheat.
L. W. Davis.	L. L. Johnson.	L. C. White.
J. T. Davies.	B. Joyner.	Joseph Wright.
		The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ausley. A. E. Beardsley. C. E. Berry. Thos. Barrow. Will Brown. J. B. Chap.

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line, J. Chouland, J. F. Cunningham, Mr. Mc. Duffie, Mr. E. Hawkins, T. M. Jacks, A. R. Johnson, B. W. Johnson, J. E. Joslyn, R. Lee, A. J. Marsh, William Murphy, R. M. C. Cowen, D. M. Guire, X. J. Pindall, Robert Polk, H. M. Purefoy, O. P. Richardson, J. C. Rollins, H. S. Scott, J. F. Smith, R. H. Spears, J. S. Stephenson, S. L. Strong, S. P. Swepston, L. L. Thompson, C. W. Vankensley, J. W. Williams.

So the bill was passed.

On motion of Mr White.

The Speaker was authorized to appoint a Committee of three, each as a Board of Managers to present and prosecute before the bar of the Senate, the Articles of Impeachment against Elhanan J. Searle, John E. Bennett, Associate Justices of the Supreme Court of Arkansas, and W. S. Oliver, the Sheriff of Pulaski County, Arkansas.

The Speaker, subsequently appointed as such Committee of Managers, the following named members:

In the Case of Elhanan J. Searle, one of the Associate Justices of the Supreme Court.

Mr O. W. Johnson, Charles Coffin and J. P. Eagles.

In the Case of John E. Bennett, one of the Associate Justices of the Supreme Court.

Mr L. W. Davis, J. F. Cunningham and J. T. W. Tiller.

In the Case of W. S. Oliver, the Sheriff of Pulaski County.

Mr W. A. Cate, J. J. Sumpter, and Mr. Mc. Erwin.

By unanimous consent.

Mr L. L. Thompson, sent to the Clerk's Table the following protest against the action of the House in adopting Articles of Impeachment against Stephen Wheeler, Auditor of State, viz:

I hereby protest against the late action of this House

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in passing articles of Impeachment against Stephen Wheeler, Auditor of Public Accounts, for the following reasons:

1st I concede that Stephen Wheeler, was not elected to the office of State Auditor. But the circumstance that he was illegally counted in by the returning officers, cannot with consistency be made a pretext for impeachment by the friends of Elisha Baxter.

2nd I further protest against this proceeding, for the reason that the proper mode of removing Wheeler - is by the action and judgment of the legislature in the contested election case now pending before this body, in which James B. Perry, who is admitted on all hands to have been elected Auditor, petitions for the office.

3rd Why suspend Wheeler, by impeachment, when he can be permanently removed by contest?

The prosecution of the Impeachment and ignoring of the contest, will be correctly understood by the people, as the expression of an intention to deny Perry his rights, by refusing to place him in the office to which the people elected him.

4th I further protest for the following reasons: There are but two substantial grounds for the impeachment alleged in the six articles. 1st co-operation in supporting Mr Brooks as Governor 2nd Issuing Warrants upon the requisition of Gov. Brooks. Neither ground is well chosen.

1st Mr Brooks having been elected by the people, and adjudicated Governor by the highest Courts of the State, and being in actual possession of the Executive office, seal and records, was the Governor of the State both *de jure* and *de facto*, and the support of him, by arms, or otherwise, was warranted by law and the highest duty of all citizens.

2nd The issuing of the warrants objected to - was authorized and legalized by the judgment of the highest judicial tribunal of the State.

5th I finally protest against the unfair, irregular, partizan, proscriptive and revolutionary practice now for the first time inaugurated in the history of legislative proceedings, of impeaching civil officers, and suspending them from the discharge of their duties, without the slightest intention or pretence of ever bringing them to trial, and thus affording them an opportunity of acquittal.

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Then

On motion of Mr. Conway.

The House took a recess until 3 o'clock P.M.

After the Recess.

The House met at three o'clock P.M.

By unanimous consent:

Mr. Burton, from the Committee on the Judiciary, to whom was referred the bill of the Senate (S16) entitled, An Act to relieve the citizens of Cross County, reported the same and recommended its passage.

Whereupon,

On motion of Mr. King.

The House passed to the consideration of the Bill just reported.

Which

Was read a third time, and placed upon its passage.

The question being put.

Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	54.
	Nays.	None
	Not Voting:	28.

Those who voted in the affirmative,

Are:

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Mr O. P. Anderson,
 N. H. Arnold,
 H. H. Barton,
 W. A. Beasley,
 D. Bridenthal,
 D. D. Brock,
 Neill Brown
 J. P. Burton,
 W. B. Carter,
 W. H. Cate,
 David Chandler,
 Charles Coffin,
 D. H. Crowley,
 L. W. Davis,
 J. T. Davies,
 M. M. Duffie,
 J. P. Eagle,
 M. M. Erwin.

Mr A. W. Files.
 W. Foreman,
 J. M. Foster,
 L. D. Gilbreath,
 J. M. Gist,
 J. W. Gossett,
 D. G. Hart,
 M. Nixon,
 W. W. Hughey,
 D. J. Hynds,
 A. D. King,
 C. C. Johnson,
 B. Joyner,
 A. K. Lester,
 A. J. Marsh,
 L. B. Mitchell,
 William Murphy,
 W. D. McCallan.

Mr B. McGuire,
 D. J. Montgomery,
 L. J. Pindall,
 J. T. Preston,
 W. H. C. Ried,
 J. F. Smith,
 J. J. Slaughter,
 J. M. Thompson,
 D. W. Thomason,
 L. L. Thompson,
 J. P. Venable,
 John C. Walker,
 J. T. Wheeler,
 A. J. Wheat,
 L. C. White,
 J. W. Williams,
 Joseph Wright,
 The Speaker.

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley,
 A. E. Beardsley,
 C. E. Berry,
 Thos. Barrow,
 J. B. Chapline,
 J. D. Conway,
 J. Cleveland,
 J. T. Cunningham,
 F. Doswell.

Mr M. E. Hawkins,
 D. M. Jacks,
 A. A. Johnson,
 B. W. Johnson,
 L. L. Johnson,
 J. E. Joslyn,
 R. Lee,
 A. M. Cowen,
 Robert Polk.

Mr H. M. Purfoy,
 O. P. Richardson,
 J. C. Rollins,
 G. S. Scott,
 O. H. Spears,
 J. S. Stephenson,
 S. L. Strong,
 S. P. Swepston,
 J. D. W. Diller,
 C. W. Danksley.

So the bill was passed.

A message from His Excellency the Governor, by Maj. C. A. Woods
 his Private Secretary:

Executive Office.

Little Rock, Ark. May 27, 1874.

To the Speaker of the House of
 Representatives, and the Members thereof.

May 27, 1874.

I have approved and signed,

A Bill entitled, an Act to prevent fraud in the disbursement of the Public School Fund, and for other purposes.

Also, an Act entitled, an Act to change the boundary line between the Counties of Monroe and Prairie.

And the Joint Resolution, in reference to appointing a Committee to examine into the amount of damage done the property belonging to the State and herewith return the same.

Elisha Baxter,
Governor of Arkansas.

On motion of Mr Cate,

The Committee on the Judiciary were instructed to prepare and report a bill at 8 o'clock and 30 minutes P.M. providing for the relief of all the Counties where the assessments had been increased by the State Board of Equalization.

On motion of Mr Crowley,

The House passed to the consideration of the bill of the House (H. R. 22.) entitled, an Act to provide for the removal of the County seat of Greene County.

Which was read a third time, and placed upon its passage.

Before the vote was called.

Mr Davis, moved that the bill be re-committed to the Committee on Counties and County Lines, for the purpose of amendment.

Mr Darwell, moved that the motion to re-commit be laid on the table.

Which was not agreed to.

The question recurring on the motion that the bill be re-committed to the Committee on Counties and County Lines, for the purpose of amendment.

Mr Chapline, moved the previous question, which was seconded.

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and under the operation thereof, the motion was disagreed to.

The question then being on the passage of the bill.

Mr Sumpter, moved the previous question, which was seconded,
And

The main question ordered, viz: Shall the bill pass?

The question being put.

It was decided in the affirmative,

{	Yeas	53.
	Nays	5.
	Not Voting:	24.

Those who voted in the affirmative, are:

Mr H. H. Arnold,
H. H. Barton,
W. A. Beasley,
D. Bideuthal,
D. D. Brock,
Neill Brown,
J. O. Burton,
W. B. Carver,
W. H. Cate,
David Chandler,
J. P. Chapline,
J. D. Conway,
B. H. Crowley,
L. W. Davis,
M. M. Duffie,
J. P. Eagle,
M. M. Erwin,
A. W. Files

Mr W. Foreman,
J. M. Foster,
L. D. Gelbreath,
J. M. Gist,
J. W. Gossett,
Mr. Nixon,
D. J. Hynds,
A. D. King,
B. W. Johnson,
C. C. Johnson,
L. L. Johnson,
A. Joyner,
P. K. Lester,
A. J. Marsh,
L. B. Mitchell,
William Murphy,
H. J. McCallaw,
B. M. Guire.

Mr D. J. Montgomery,
L. J. Pindall,
J. D. Preston,
W. H. C. Ried,
J. F. Smith,
J. J. Sumpter,
J. M. Thompson,
J. W. Thomason,
L. L. Thompson,
J. P. Venable,
John C. Walker,
J. F. Wheeler,
A. J. Wheat,
L. C. White,
J. W. Williams,
Joseph Wright,
The Speaker.

Those who voted in the negative, are:

Mr F. Doswell, J. F. Davies, D. G. Hart, W. H. Hughey, S. P. Swepston.

Those absent or not voting, are:

May 27, 1874.

Mr O. P. Anderson,
J. A. Ansley,
A. E. Beardsley,
C. E. Berry,
Thos. Carrow,
Charles Coffin,
J. Cleveland,
J. F. Cunningham

Mr Mr. E. Hawkins.
J. M. Jacks.
A. R. Johnson,
J. E. Joslyn,
A. Lee,
P. M. Cowen,
Robert Polk,
N. M. Purfoy.

Mr O. P. Richardson.
J. C. Rollins.
G. S. Scott,
R. H. Spears,
J. S. Stephenson,
S. L. Strong,
J. D. W. Miller,
C. W. Danksley.

So the bill was passed.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber,
Little Rock, Ark, May 27, 1874.

Mr Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of House Bill No. 55, entitled an act to repeal an act to authorize certain Counties to fund their outstanding indebtedness.

Also, of House Bill No. 72, entitled an act authorizing the issuance of bonds; and herewith respectfully return the same.

W. W. Orrick, Secy.

On motion of Mr Sumpster,

The House passed to the consideration of the Substitute for the bill of the Senate, (Sub. S. 10.) entitled an act to change the time for holding the Circuit Courts of this State

Which was read a third time.

Mr Chapline, moved that the bill be laid upon the table.

Which was not agreed to.

Then

On motion of Mr Sumpster,

Under the operation of the previous question,

The bill was placed upon its passage.

The question being put, Shall the bill pass?

May 27, 1874.

It was decided in the affirmative.

{	Yeas.	37.
	Nays.	19.
	Not voting:	26.

Those who voted in the affirmative, are:

Mr H. H. Arnold,	Mr L. D. Gilbreath,	Mr William Murphy,
H. H. Barton,	J. M. Gist,	W. D. McClellan,
D. D. Brock,	J. W. Gossett,	B. McGuire,
J. B. Burton,	Mo. Hixon,	X. J. Pindall,
W. B. Carter,	A. D. King,	J. T. Preston,
W. H. Cate,	O. W. Johnson,	W. H. C. Reid,
Charles Coffin,	C. C. Johnson,	J. J. Slaughter,
A. H. Crowley,	L. L. Johnson,	J. D. W. Tiller,
F. Dosewell,	A. Joyner,	J. P. Venable,
L. W. Davis,	A. K. Lester,	J. W. Wheeler,
J. J. Davies,	A. J. Marsh,	A. J. Wheat,
Mo. Mo. Erwin	L. B. Mitchell,	Joseph Wright,
		The Speaker,

Those who voted in the negative, are:

Mr O. P. Anderson,	Mr J. P. Eagle,	Mr D. J. Hynds,
W. A. Beasley,	A. W. Fies,	D. J. Montgomery,
Neill Brown	W. Foreman,	S. P. Livingston,
David Chandler,	J. M. Foster,	J. M. Thompson,
J. B. Chapline,	D. G. Hart,	John C. Walker,
Mo. Mo. Duffie,	W. W. Hughey,	L. C. White,
		J. W. Williams,

Those absent or not voting, are:

Mr J. A. Ansley,	Mr J. M. Jacks,	Mr G. S. Scott,
A. E. Beardsley,	A. R. Johnson,	J. W. Smith,
C. E. Berry,	J. E. Joslyn,	P. N. Spears,
Thos. Barrow,	R. Lee,	J. S. Stephenson,
D. Bridenthal,	P. Mc Cowen,	S. L. Strong,
J. D. Conway,	Robert Polk,	D. W. Thomason,
J. Cleveland,	H. M. Purefoy,	L. L. Thompson,
J. H. Cunningham,	O. P. Richardson,	C. W. Tarkenton,
Mo. E. Hawkins,	J. C. Rollins,	

May 27, 1874.

So the bill was passed.

Pending the vote:

Mr McGuire, (when his name was called) sent to the Clerk's table, the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

I want to get through with the most important business before this House, to wit: the putting down the rebellion - establishing the Government on a firm footing, and the paying the expenses of the same, & adjourn & go home, I therefore vote - Aye.

The vote was then announced as above.

By unanimous consent,

Mr Lester, from the Committee on State Lands, to whom was referred the bill of the House (H. R. 61) entitled, an act to prevent the Commissioner of State Lands from receiving what is known as Levee Bonds, in payment of State Lands, reported the same, and recommended a substitute therefor, of similar title.

The report of the Committee was adopted.

And

The Substitute was accordingly adopted, in lieu of the original bill.

Whereupon,

On motion of Mr Davis,

The bill was read a third time.

Before the roll was called,

It appearing that the bill needed engrossing.

On motion of Mr Preston,

Ordered, That the bill be engrossed and made special order for 5 o'clock, P. M.

On motion of Mr Walker,

The House passed to the consideration of the bill of the Senate (S. 11.) entitled, an Act to repeal an Act

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entitled, an act amendatory of and supplementary to an act entitled, an act to provide for Circuit Clerks in certain Counties and define their duties.

Which was read a first time.

By unanimous consent. Under a suspension of the rules.

The bill was

read a second time, by title.

On motion of Mr Sumpter,

The rules

were further suspended, (two-thirds of the Members present voting therefor) and

The bill was read a third time and placed upon its passage.

The question being put. Shall the bill pass?

It was decided in the affirmative.

{	Yeas,	51
	Nays,	3.
	Not voting:	28.

Those who voted in the affirmative, are:

Mr O. P. Anderson.
H. N. Arnold.
H. N. Barton.
W. A. Beasley.
L. Briedenthal.
L. D. Brock.
J. P. Burton.
H. O. Carter.
W. H. Cate.
David Chandler.
Charles Coffin.
B. H. Crowley.
F. Doswell.
L. W. Davis.
J. D. Davies.
M. M. Duffie.
J. P. Eagle.

Mr M. M. Ewin.
A. W. Files.
W. Foreman.
J. M. Foster.
L. D. Gilbreath.
J. M. Gist.
J. W. Gossett.
D. G. Hart.
M. E. Hawkins.
M. Nixon.
W. W. Hughes.
D. J. Hynds.
A. D. King.
C. C. Johnson.
L. L. Johnson.
P. K. Lester.
A. J. Marsh.

Mr L. B. Mitchell.
William Murphy.
W. J. M. Chellau.
B. M. Geire.
D. J. Montgomery.
X. J. Pindall.
J. T. Preston.
W. H. C. Ried.
G. S. Scott.
J. J. Sumpter.
J. M. Thompson.
J. W. Thompson.
J. D. W. Tiller.
J. P. Venable.
John C. Walker.
A. J. Wheat.
Joseph Wright.

EB

EB

EB

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Those who voted in the negative, are:

Mr A. E. Beardsley - Keill Brown - J. V. Wheeler.

Those absent or not voting, are:

Mr J. A. Ansley.
 C. E. Berry.
 Thos. Barrow.
 J. B. Chapline.
 J. D. Conway.
 J. Clelland.
 J. V. Cunningham.
 J. M. Jacks.
 A. R. Johnson.

Mr B. W. Johnson.
 J. E. Joslyn.
 R. Joyner.
 R. Lee.
 P. McEwen.
 Robert Polk.
 H. M. Purfoy.
 O. P. Richardson.
 D. C. Rollins.

Mr J. V. Smith.
 A. H. Spears.
 J. S. Stephenson.
 J. L. Strong.
 S. O. Swepton.
 L. L. Thompson.
 C. W. Danksby.
 L. C. White.
 J. W. Williams.
 The Speaker.

So the bill was passed.

On motion of Mr Erwin,

The House passed to the consideration of the bill of the House (H. R. 62.) entitled, an Act to authorize the location of the County seat of Barber County.

Which was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	53.
Nays	None.
Not Voting:	29.

Those who voted in the affirmative, are:

Mr O. P. Anderson.
 H. H. Arnold.
 H. H. Barton.
 A. E. Beardsley.
 H. A. Beasley.
 D. Biedenthal.

Mr D. D. Brock.
 J. B. Burton.
 H. B. Carter.
 W. H. Cate.
 David Chandler.
 J. B. Chapline.

Mr Charles Coffin.
 B. H. Crowley.
 F. Doivell.
 L. W. Davis.
 J. V. Davies.
 M. M. Duffie.

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Mr J. P. Eagle.	Mr D. J. Hynds.	Mr X. J. Pindall.
Mr. Mo. Enwin.	A. D. King.	J. D. Preston.
A. W. Files.	C. C. Johnson.	W. N. C. Reid.
W. Foreman.	L. L. Johnson.	J. F. Smith.
J. Mo. Foster.	A. Joyner.	J. J. Slaughter.
L. D. Gilbreath.	R. H. Lester.	D. W. Thomason.
J. Mo. Gist.	A. J. Marsh.	J. P. Venables.
J. W. Gossett.	L. B. Mitchell.	John C. Walker.
D. G. Hart.	William Murphy.	A. J. Wheat.
Mr. E. Hawkins.	W. D. Mo. Chellaw.	L. C. White.
Mr. Nixon.	B. Mo. Guino.	J. W. Williams.
W. W. Hughey.	D. J. Montgomery.	

None voting in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.	Mr J. E. Joslyn.	Mr S. L. Strong.
C. E. Perry.	A. Lee.	S. P. Swopeston.
Thos. Barrow.	P. M. Cowen.	J. Mo. Thompson.
Will. Bacon.	Robert Polk.	L. L. Thompson.
J. D. Conway.	H. Mo. Purefoy.	J. D. W. Tiller.
J. Cleveland.	O. P. Richardson.	C. W. Dainksky.
J. T. Cunningham.	J. C. Rollins.	J. T. Wheeler.
D. Mo. Jacks.	G. S. Scott.	Joseph Wright.
A. R. Johnson.	P. H. Spears.	The Speaker.
B. W. Johnson.	J. S. Stephenson.	

So the bill was passed.

On motion of Mr White.

The House passed to the consideration of the Articles of Impeachment heretofore submitted by the Select Committee on Impeachment, against W. N. Grey, the Commissioner of State Lands of this State, for High Crimes and Misdemeanors in office, which were read, as follows:

Articles,

Exhibited by the House of Representatives of the State of Arkansas, in the name of themselves and all the people of said State, against W. N. Grey, Commissioner of State Lands of this State, in maintenance and support

May 27, 1874.

of their impeachment against him, for High Crimes and Misdemeanors in office.

Article I.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted Government of said State, and did then and there lay war against the said State of Arkansas, contrary to the Constitution and Laws of said State; whereby the said W. H. Grey, did then and there commit, and was guilty of, a high crime in office.

Article II.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the Constitution and Laws of said State, combine and confederate with one Joseph Brooks in armed insurrection against the lawfully constituted authorities and government of said State, and did then and there adhere to its enemies, giving them aid and comfort, contrary to the Constitution and Laws of said State; Whereby the said W. H. Grey, did then and there commit, and was guilty of, a high crime in office.

Article III.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did, heretofore, to wit, on the 15 day of April, 1874, at the County of Pulaski in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evilly disposed persons by force to usurp the Government of the State, and did make forcible attempts to accomplish the said illegal purpose, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, intitled "An Act to punish usurpation in office," Approved

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February 27, 1873; whereby the said W. H. Grey, did then and there commit and was guilty of, a high crime in office.

Article IV.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski, in said State, being unmindful of the high duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, conspire with one Joseph Brooks and other evil-minded persons, to overturn the government of said State, and made a forcible attempt to accomplish the purpose aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office," approved February 27, 1873; whereby the said W. H. Grey, did then and there commit, and was guilty of, a high crime in office.

Article V.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did, heretofore, to wit, on the 15 day of April 1874, at the County of Pulaski in said State, being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously conspire with one Joseph Brooks and other evil minded persons to seize the office of Governor of said State, and the Executive Department thereof, and for the said illegal purpose, levied war on said State, contrary to the Laws and Constitution of said State, and in violation of an act of the General Assembly, of said State, entitled "An Act to punish usurpation in office," approved February 27, 1873; whereby the said W. H. Grey, did then and there commit, and was guilty of, a high crime in office.

Article VI.

That the said W. H. Grey, being Commissioner of State Lands, as aforesaid, did, heretofore, to wit: On or about the 15th day of May, A.D. 1874, at the County of Pulaski in said State being unmindful of the duties of his said office, of his oath of office, and of the requirements of the Constitution and Laws of said State, unlawfully and feloniously, mutilate, destroy and deface the Records pertaining to and belonging to the office.

May 27, 1874.

of said State Lands, and did then & there purloin, steal & carry off valuable papers belonging to and depreciate in said office as aforesaid, contrary to the Constitution and Laws of said State, and in violation of an Act of the General Assembly of said State, entitled "An Act to punish usurpation in office", approved February 27, 1873; whereby the said W. H. Grey, did then and there commit, and was guilty of, a high crime in office.

Mr. White, from the Select Committee on Impeachment suggested that the Committee were prepared to submit evidence in the case if the House desired that evidence should be submitted in the case.

Whereupon,

Mr. Pindall, called for the reading of the evidence

The Speaker, (Mr. Cate, in the Chair,) ruled that any member had a right to call for the reading of the evidence, and directed that the evidence be read.

Mr. Sumpter, appealed from the decision of the chair?

The question being put, Shall the decision of the chair be sustained?

It was decided in the affirmative.

{	Yeas.	34.
	Nays.	16.

Those who voted in the affirmative, are:

Mr O. O. Anderson.	Mr J. P. Eagle.	Mr R. M. Lester.
A. E. Beardsley.	Mr. M. Erwin.	L. B. Mitchell.
W. A. Beasley.	St. W. Files.	William Murphy.
D. Bidenthal.	W. Foreman.	D. J. Montgomery.
L. D. Brock.	L. D. Gilbuth.	X. J. Pindall.
W. D. Carter.	J. M. Gist.	J. D. Preston.
J. B. Chapline.	D. G. Hart.	G. S. Scott.
B. H. Crooley.	Mr. E. Harkins.	J. V. Smith.
F. Doswell.	D. J. Hynds.	L. O. Swepston.
J. V. Davies.	L. L. Johnson.	J. D. W. Tiller.
Mr. M. Duffie.	A. Joyner.	L. C. White.
		J. W. Williams.

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Those who voted in the negative, are:

Mr H. N. Arnold, H. N. Barton, J. B. Burton, David Chaudler, Charles Coffin, L. W. Davis, Mr. Nixon, A. D. King, C. C. Johnson, W. D. McClaw, B. McGuire, W. H. C. Reed, J. J. Sumpter, John C. Walker, J. T. Wheeler, A. J. Wheat.

So the decision of the Chair was sustained.

Mr J. H. Berry, (Mr Cate, in the Chair,) moved that the Articles of Impeachment be laid on the table subject to the call of the House.

Mr Scott, moved as a Substitute, that further consideration of the Articles of Impeachment, be indefinitely postponed.

Mr Sumpter, asked for the Yeas and Nays.

The question being put,

It was decided in the negative.

{	Yeas,	5.
	Nays,	50.

Those who voted in the affirmative, are:

Mr Neil Brown, J. B. Chapline, G. S. Scott, S. P. Swepston, L. L. Thompson,

Those who voted in the Negative, are:

Mr O. P. Anderson, H. N. Arnold, A. E. Beardsley, D. D. Brock, J. B. Burton, W. B. Carter, W. H. Cate, David Chaudler, J. D. Conway, B. H. Crowley, F. Dowell, L. W. Davis, J. T. Davies, M. M. Duffie, J. P. Eagle, M. M. Erwin, A. W. Files, W. Foreman, J. M. Foster, L. D. Gilbreath, J. M. Gist, J. W. Gossett, D. G. Hart, M. E. Hawkins, Mr Nixon, D. J. Hynds, A. D. King, C. C. Johnson, L. L. Johnson, R. Joiner, P. H. Lester, A. J. Marsh, L. B. Mitchell, William Murphy, W. D. McClaw, B. McGuire, D. J. Montgomery, X. J. Pindall, J. T. Preston, W. H. C. Reed, J. F. Smith, J. J. Sumpter, J. H. Thomason, J. D. W. Viller, John C. Walker, J. T. Wheeler, A. J. Wheat, L. C. White, Joseph Wright, The Speaker.

So the House refused to indefinitely postpone the further consideration

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of the Articles of Impeachment.

The question recurring on the motion that the articles of impeachment lie on the table, subject to the call of the House.

It was not agreed to.

The question being on the adoption of the Articles of Impeachment.

After discussion.

Mr Brown, moved that the further consideration of the Articles of Impeachment be postponed until 10 o'clock A. M. on the morrow.

Which was not agreed to.

Mr Reed, called for the reading of the evidence.

The evidence taken by the Select Committee on Impeachment, in the case of W. N. Grey, the Commissioner of State Lands, was then read, as follows:

Little Rock, Arkansas.
May 25.th 1874.

I, John Ingraham, of the City of Little Rock, County of Pulaski, and State of Arkansas, do solemnly swear that W. N. Grey, Commissioner of Immigration & State Lands, did officially acknowledge Jos. Brooks, as Govr of Arks, and Telegraphed the President of the United States that he endorsed said Brooks officially as Govr; he stated in my presence, that so long as Jos. Brooks occupied the State House unmolested by the President, he would recognize him as the legal Govr. of the State; He gave permission to the Military authorities of Jos. Brooks to occupy the State Land Office, as a sleeping and guard room for the soldiers. A large amount of stationery, furniture and legal State documents were stolen carried away and burned up - entailing upon the State a severe loss, such as cannot be easily repaired. The official Records and State Papers of all classes were very much damaged - many of them destroyed & left scattered around the room, which was left in a dirty filthy condition. At no time during the existence of the rebellion, was the office and official records, papers &c. in a safe condition, but left entirely at the mercy of a rough, dissolute, ignorant soldiery, who

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did not at any time, manifest any disposition to care for the preservation of the papers &c, and was entirely abandoned for a time as a public office - without the care or protection of anyone.

John Ingram.

May 25/74.

The endorsement of Joseph Brooks as Govr. of the State of Ark., spoken of in my affidavit is herewith appended:

Little Rock, April 20, 1874.

To

U. S. Grant, President of the United States.
Washington, D.C.

We, the undersigned, being State officers of Arkansas, since the Pulaski Circuit Court rendered the judgment of ouster against Elisha Baxter, for the office of Governor, and awarded the said office to Joseph Brooks, and he qualified as Governor and entered upon the discharge of his duties as such, we have and do now recognize said Brooks as governor of said State, in all official intercourse with the executive of the State.

John M. Clure,

Chief Justice.

W. L. Stephenson,

E. J. Searle,

Associate Justices.

Henry Page,

Treasurer of State.

S. Wheeler,

Auditor of State.

Lucien J. Barnes,

Insurance Commissioner.

J. C. Corbin,

Superintendent of Public Instruction.

W. H. Gregg,

Commissioner of State Lands.

Edward Curry,

Secretary of State, ad interim

(Judges Gregg and Bennett are not in the City) Secretary of State Johnson, absent from the Capitol.)

May 27, 1874.

John Ingraham.

Sworn to and subscribed before me,
this 25th day of May, 1874.

L. C. White
Chairman Com.

J. J. N. Smithee, of the City of Little Rock, County of Pulaski, State of Arkansas, do hereby testify that, on taking possession of the State Land Office, to which position I was appointed ad interim by Gov. Baxter, I found the office in a horrible condition. Books and Papers of a valuable character were scattered pell-mell over the floor, many records mutilated, and many valuable books and papers either lost, destroyed or left in the safe, the key of which was taken away by the late Commissioner Mr. W. H. Gray, or some of his adherents. For want of these books the business of the office is very much impeded, indeed it is almost impossible to get along without them. Mr Gray and his deputy both fled the State, taking the safe keys, and either carrying with them or secreting so they cannot be got at, books and papers which are necessary to a proper discharge of the duties of the office. For the want of these books a large amount of business is now waiting to be transacted. The want of them will necessitate the opening of a new set of day books, and a new series of numbers, which will necessarily create confusion, and ought not to be done, except as a last extremity. For the want of said books it is impossible to tell the financial condition of the office, or anything else of a satisfactory character.

J. J. N. Smithee.

Sworn to and subscribed before me,
this 25th day of May 1874.

L. C. White,
Chairman Com.

Mr Pindall, moved that Representative L. L. Thompson be permitted to be examined on oath, as a witness in the case before the House.

Which was agreed to.

Mr L. L. Thompson, then came forward to the bar, and being sworn as a witness, by the Clerk of the House, made the statements and answers to interrogatories propounded to him, as follows:

Mr Speaker, and Gentlemen of the House: I will state that I

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was in command of this post under Joseph Brooks, and that I took possession of the office of Mr Grey, as a military officer, and placed troops of my command in his office. He came to me nearly every day thereafter, and asked me to give him possession of his office, which for reason of military necessity, I refused to do. I probably held the office for two and a half or three weeks - when having made other arrangements, I turned the office back to him.

I can state further that the witness Mr Ingram was here every day and seemed to be as good a Brooks' man as any body, and I should consider him as much implicated as any body else. I never saw him have a gun however. So far as Mr Grey, turning his office over to the military, that is untrue, for it was taken possession of by myself as Commander.

Question. Can the witness give any information as to how the books in that office were destroyed or taken away?

Answer. No Sir; I can not; there was a guard at the door all the time. Part of the office was taken as a Guard House for Prisoners, for the first two and a half or three weeks - the guards occupied the front room, and the prisoners were in the back room.

Question. Did you as Post Commander permit the Guards to mutilate the books and Papers?

Answer. No Sir; my orders to them were to prevent all such things.

Question. Mr Ingram, was formerly a Clerk in the office, Was he not?

Answer. Yes Sir; He was, he told me so.

Question. Do you know of your own knowledge that he was?

Answer. Well, I saw him writing in the office, and judged from that and from conversing with him in regard to matters in the office, that he had that situation.

Question. Do you know anything about that dispatch?

Answer. Yes Sir; It was generally understood - I never saw the dispatch - I never heard Mr Grey say that he signed it - but it was generally understood so.

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Question. Do you know where Mr Grey is?

Answer. No Sir.

Question. Do you know where he left for?

Answer. Yes Sir; Washington City.

Question. Why did he leave here?

Answer. To represent this case on behalf of the colored people.

Question. As a representative of Mr Brooks?

Answer. Yes Sir, I believe so.

Question. Did he stand by him as you did?

Answer. He didn't stand by him as I did. I don't think he was that kind of a man.

Question. He didn't go to the front with him?

Answer. No Sir, but he said he was in sympathy with him.

Question. You never saw Mr William H. Grey, give Mr Brooks any aid and comfort?

Answer. No Sir, further than his presence on the ground.

Then

On motion of Mr Reed, The further examination of the witness was dispensed with.

The question being on the adoption of the Articles of Impeachment.

Mr Sumpster, asked for the Yeas and Nays, and also, moved the previous question, which was seconded, and the main question ordered, viz:

May 27, 1874.

Shall the articles of Impeachment against W. H. Greig, the Commissioner of State Lands, be adopted? The question being put.

It was decided in the affirmative.

Yeas. 29
Nays. 19
Not Voting. 33.

Those who voted in the affirmative, are:

Mr O. P. Anderson,
H. H. Arnold,
A. E. Beasley,
D. Bideuthal,
D. D. Brock,
J. B. Burton,
David Chandler,
L. W. Davis,*
W. W. Erwin,
L. D. Gilbreath.

Mr J. W. Gossett,
W. Nixon,
A. D. King,
C. C. Johnson,
R. Joyner,
P. H. Lester,
W. D. McCallan,
X. J. Pindall,
J. D. Preston,
W. H. C. Reid.

Mr J. J. Slaughter,
D. W. Thomason,
J. D. W. Diller,
J. O. Venable,
John C. Walker,
J. D. Wheeler,
A. J. Wheat,
L. C. White,
* Charles Coffin.

Those who voted in the negative, are:

Mr W. A. Beasley, Neil Brown, W. H. Cato, J. B. Chapline, ~~J. D. Coffin~~, F. Doswell, J. F. Davies, M. M. Duffie, J. P. Eagle, A. W. Files, W. Foreman, J. M. Foster, J. M. Gist, L. L. Johnson, William Murphy, D. J. Montgomery, G. S. Scott, L. L. Thompson, J. W. Williams. The Speaker.

Those absent or not voting, are:

Mr J. A. Ansel,
H. H. Barton,
C. E. Berry,
Thos. Barrow,
W. D. Carter,
J. Cleveland,
B. H. Crowley,
J. H. Cunningham,
D. G. Hart,
W. E. Hawkins,
W. W. Hughey.

Mr D. J. Hynds,
J. M. Jacks,
A. R. Johnson,
B. W. Johnson,
J. E. Joselyn,
R. Lee,
A. J. Marsh,
L. B. Mitchell,
P. M. Cowen,
B. M. Guire,
Robert Poek.

Mr H. M. Purefoy,
O. P. Richardson,
J. C. Rollins,
J. F. Smith,
A. H. Spears,
J. S. Stephenson,
S. L. Strong,
S. P. Swepston,
J. M. Thompson,
C. W. Vandersley,
Joseph Wright.

May 27, 1874.

So the Articles of Impeachment were adopted.

Pending the vote.

Mr. Prudden, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal. Viz:

Mr. Speaker:

I have satisfied myself that Mr. Grey, did confederate with others, to defraud men elected of their offices, therefore I vote - Aye.

Mr. Conway, (when his name was called) asked, and was by unanimous consent excused from voting.

The vote was then announced, as above.

And

W. H. Grey, the Commissioner of State Lands for Arkansas, was, at 4 o'clock and 51 minutes P.M. declared to be impeached, by the House of Representatives.

By unanimous consent,

Mr. Preston, from the Joint Committee appointed on the part of the House, to act with a similar Committee from the Senate, to inquire into the conduct of Senators and Representatives in Congress from Arkansas. Submitted a joint resolution (H. J. Res. 11) a joint resolution requesting Senators Clayton and Dorsey, and Representatives Snyder, Hodges and Hynes to resign their seats in the Congress of the United States, and tendering thanks to Representative Wilshire.

Which was read a first time.

By unanimous consent,
under a suspension of the rules.

The Joint Resolution was read a second time by title.

Mr. Preston, moved that the Joint Resolution be engrossed for a third reading.

Which was not agreed to.

On motion of Mr. Sumner.

May 27, 1874.

The rules were further suspended, (two-thirds of the members present voting therefor.)

And.

The Joint Resolution was read a third time and placed upon its passage.

The question being put, Shall the Joint Resolution pass?

It was decided in the affirmative.

{	Yeas.	40
	Nays.	4.
	Not Voting:	38.

Those who voted in the affirmative, are:

Mr O. P. Anderson
H. H. Barton.
D. D. Brock.
J. P. Burton.
Charles Coffin.
J. D. Conway.
F. Doswell.
L. W. Davis.
J. H. Davies.
J. P. Eagle.
Mr. Mr. Erwin.
A. W. Files.
W. Foreman.

Mr J. W. Gassett.
D. G. Hart.
Mr. E. Hawkins.
Mr. Nixon.
D. J. Hynds.
A. D. King.
B. W. Johnson.
C. C. Johnson.
L. L. Johnson.
R. Joyner.
P. H. Lester.
A. J. Marsh.
L. B. Mitchell.

Mr W. J. McCallum.
D. J. Montgomery.
J. D. Preston.
W. H. C. Reid.
J. J. Sumpter.
J. Mc. Thompson.
J. W. Thomason.
J. D. W. Diller.
J. O. Venable.
John C. Walker.
A. J. Wheat.
L. C. White.
Joseph Wright.
The Speaker.

Those who voted in the negative, are:

Mr J. P. Chaplin, G. S. Scott, L. L. Thompson, J. W. Williams.

Those absent or not voting, are:

Mr J. A. Anely, H. H. Arnold, A. E. Beardsley, W. A. Beasley, C. E. Berry, Thos. Barrow, D. Brideuthal, Neill Brown, W. B. Carter, W. H. Cato, David Chandler, J. Cleveland, B. H. Crowley, J. W. Cunningham, M. W. Duffie, J. M. Foster, L. D. Gilbreath, J. M. Gist, W. W. Hughey, J. M. Jacks, A. R. Johnson, J. E. Joselyn, R. Lee, William Murphy, P. M. Cowen, B. M. Guire, X. J. Pindall, Robert Poek, H. W. Purfoy, O. P. Richardson, J. C. Rollins, J. F. Smith, R. H. Spears, J. S. Stephenson, —

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Mr S. L. Strong. S. P. Swepston. C. W. Dankusky. J. W. Wheeler.

So the Joint Resolution, was passed.

Pending the vote.

Mr Montgomery, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

I cannot fully endorse all contained in the charges as preferred in the preamble. Nor can I recognize that Hon. Wilshire, is justly styled a member in Congress from this State; but believing that it would be greatly to the interest of the State for Senators Clayton and Dorsey to resign, I vote - Aye.

Mr Sumpter, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

Every man in the Penitentiary, had a good name once.

Mr White, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

In casting my vote upon the question of the passage of these Joint Resolutions, I desire to state that I do so more in sorrow than in anger, and only out of a sense of duty to the great and honored party to which I belong and with which I act. I believe the allegations set forth are mainly true. I was one among the number of Republicans who voted for Mr Dorsey, at the session of this body in the winter of 1873, and gave the reasons for my vote which are quoted by the Member from Pulaski Mr Thompson, against me. I acted honestly then and do so now. I have no compunctions of conscience - nothing but regret, and will only add that the Republican party of the State of Arkansas, can never rise to the dignity to which it aspires until it rids itself of unworthy leaders and becomes regenerated and decentralized.

May 27. 1874.

The vote was then announced as above.

On motion of Mr Williams.

Ordered, that the Clerk be authorized to procure such additional number of Gantt's Digest, as will supply those members of the House who have not received the same.

A message from the Senate, by Mr Orrick, their Secretary. Viz:

Senate Chamber.

Little Rock, Ark. May 27.th 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage by the Senate of Sub. N. B. No. 38. a bill to be entitled, an Act of Pardon and Amnesty - Also N. B. No. 74. an act entitled, an Act to provide for the cancellation of State Scrip and destruction of the same, Also N. B. No. 17. an Act to protect the public and private levees. and herewith respectfully return the same.

The House then proceeded to consider the special order set for 5 o'clock P.M., being the consideration of the bill of the House (N. R. 61.) entitled, an Act to prevent the Commissioners of State Lands from receiving what is known as Levee Bonds, in payment of State Lands.

Which was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas	51.
	Nays	2.
	Not Voting	29.

Those who voted

In the affirmative,

are:

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Mr O. P. Anderson,
 H. H. Arnold,
 H. H. Barton,
 W. A. Beasley,
 D. D. Brock,
 J. B. Burton,
 David Chandler,
 Charles Coffin,
 J. D. Conway,
 B. H. Crowley,
 F. Doswell,
 L. W. Davis,
 J. T. Davies,
 Mr. Mr. Duffie,
 J. P. Eagle,
 Mr. Mr. Erwin,
 A. W. Files.

Mr W. Foreman,
 J. M. Foster,
 L. D. Gilbreath,
 J. W. Gossett,
 D. G. Hart,
 Mr. E. Hawkins,
 Mr. Nixon,
 D. J. Hynds,
 H. D. King,
 B. W. Johnson,
 C. C. Johnson,
 R. Joyner,
 P. K. Lester,
 A. J. Marsh,
 L. B. Mitchell,
 William Murphy,
 W. J. M. Clellan.

Mr D. J. Montgomery,
 J. D. Preston,
 W. H. C. Reed,
 J. T. Smith,
 J. J. Slaughter,
 S. P. Swepton,
 J. M. Thompson,
 J. W. Thomason,
 L. L. Thompson,
 J. D. W. Tiller,
 J. P. Venable,
 John C. Walker,
 A. J. Wheat,
 L. C. White,
 J. W. Williams,
 Joseph Wright,
 The Speaker.

Those who voted in the negative, are:

Mr A. E. Beardsley. Still Brown.

Those absent or not voting, are:

Mr J. A. Ansley,
 C. E. Berry,
 Thos. Barrow,
 D. Bidenthal,
 W. D. Carter,
 W. H. Cate,
 J. P. Chapline,
 J. Cleveland,
 J. T. Cunningham,
 J. M. Gist.

Mr W. W. Hughey,
 D. M. Jacks,
 A. R. Johnson,
 L. L. Johnson,
 J. E. Joslyn,
 R. Lee,
 P. M^c. Cowen,
 B. M^c. Guire,
 X. J. Pindall,
 Robert Polk.

Mr H. M. Purfoy,
 O. P. Richardson,
 J. C. Rollins,
 G. S. Scott,
 R. H. Spears,
 J. S. Stephenson,
 S. L. Strong,
 C. W. Tauterby,
 J. T. Wheeler.

So the bill was passed.

On motion of Mr Tiller.

The Speaker, was authorized to appoint a Select Committee of three to wait upon and notify the Senate that the House would be ready to receive the Senate in joint session.

May 27, 1874.

at 10 o'clock and 30 minutes A. M. on the morrow, for the purpose of balloting for three persons as a Board of Military Commissioners, as provided by an Act of the present General Assembly, entitled, An Act authorizing the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same.

The Speaker, appointed as such Committee:

Mr. J. O. H. Diller, L. D. Gilbreath and A. H. Files.

By unanimous consent,

Mr Duffie, from the Committee on the Judiciary, in accordance with the instruction of the House, introduced a bill (H. R. 76.) entitled, An Act to relieve the citizens of the several Counties in the State.

Which was read a first time.

Under a suspension of the rules,

By unanimous consent,

by title.

The bill was read a second time.

On motion of Mr Thomason,

inserting the word "Washington".

The bill was amended by

On motion of Mr Erwin,

The bill was further amended by striking out the names of the Counties mentioned in the bill, and inserting in lieu thereof, the words "All the Counties within the State of Arkansas".

Then,

On motion of Mr Slaughter,

The rules were further suspended (two-thirds of the members present voting therefor,) and

was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas,	42.
Nays,	15.
Not Voting,	25.

May 27, 1874.

Those who voted in the affirmative, are:

Mr A. E. Beardsley.
 W. A. Beasley.
 D. D. Brock.
 J. P. Burton.
 W. H. Cate.
 J. P. Chaplin.
 P. H. Crowley.
 F. Doswell.
 L. W. Davis.
 J. F. Davies.
 Mr. Mr. Duffie.
 Mr. Mr. Erwin.
 A. W. Files.
 L. D. Gilbreath.

Mr J. W. Gossett.
 Mr. E. Hawkins.
 Mr. Nixon.
 D. J. Hynds.
 A. D. King.
 C. C. Johnson.
 L. L. Johnson.
 R. Joyner.
 O. K. Lester.
 A. J. Marsh.
 L. O. Mitchell.
 W. J. McCallan.
 X. J. Pindall.
 J. D. Preston.

Mr W. H. C. Reid.
 J. V. Smith.
 J. J. Slaughter.
 S. P. Swepton.
 D. W. Thomason.
 L. L. Thompson.
 J. D. W. Diller.
 J. P. Venable.
 John C. Walker.
 J. V. Wheeler.
 A. J. Wheat.
 J. W. Williams.
 Joseph Wright.
 The Speaker.

Those who voted in the negative, are:

Mr O. P. Anderson, N. H. Arnold, H. H. Barton, Neill Brown, David Chaudler, Charles Coffin, J. D. Conway, J. P. Eagle, W. Foreman, D. G. Hart, B. W. Johnson, D. J. Montgomery, G. S. Scott, J. M. Thompson, L. C. White.

Those absent or not voting, are.

Mrs J. A. Ansley, C. E. Berry, Thos. Barrow, D. Bridenthal, W. B. Carter, J. Cleveland, J. F. Cunningham, J. M. Foster, J. M. Gist, W. W. Hughey, T. M. Jacks, A. R. Johnson, J. E. Joslyn, R. Lee, William Murphy, P. M. Cowen, B. McGuire, Robert Polk, H. M. Purefoy, O. P. Richardson, J. C. Rollins, R. H. Spears, J. S. Stephenson, S. L. Strong, C. W. Tankersley.

So the bill was passed.

Then,

On motion of Mr Doswell

until 8 o'clock P.M.

The House took a recess

After the Recess.

The House met at 8 o'clock P.M.

May 27. 1874.

By unanimous consent,

Mr Brown, introduced a bill (H. R. 77) entitled,
an act to amend Section 157 of the Act of 28th of April, 1873, regulating the
Assessment and collection of Revenue.

Which was read a first time,

Mr Brown, moved that the
rules be suspended, and that the bill be read a second time by title.

Which was not agreed to, (two-thirds of the members present not
voting therefor.)

On motion of Mr Erwin,

The House passed to the consideration
of the Bill of the House (H. R. 65) entitled, An Act to repeal an
act entitled, an act to provide for adding territory to cities
of the first class.

Which was read a first time.

Mr Chaplin, moved that the bill lie on the table.

Which was
not agreed to.

By unanimous consent under a suspension of
the rules

The bill was read a second time, by title.

On motion of Mr Scott,

The rules were further suspended (two-thirds
of the members present voting therefor)

And

The bill was read a third time, and placed upon its
passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	48
Nays.	2
Not voting:	32.

Those who voted in the affirmative, are:

May 27, 1874.

Mr O. P. Anderson,
H. H. Arnold,
A. E. Beardsley,
W. A. Beasley,
D. Bridenthal,
D. D. Brock,
J. D. Burton,
David Chandler,
J. D. Conway,
L. W. Davis,
J. F. Davies,
W. W. Duffie,
J. P. Eagle,
W. W. Erwin,
J. P. Venable,
John C. Walker.

Mr A. W. Files,
J. W. Foster,
L. D. Gilbreath,
J. W. Gist,
J. W. Gossett,
D. G. Hart,
W. Nixon,
W. W. Hughes,
D. J. Hynds,
A. D. King,
B. W. Johnson,
C. C. Johnson,
L. L. Johnson,
A. Joyner,
J. W. Wheeler,
A. J. Wheat.

Mr O. H. Lester,
A. J. Marsh,
L. B. Mitchell,
William Murphy,
D. J. Montgomery,
X. J. Piddall,
J. J. Preston,
W. H. C. Rice,
G. S. Scott,
J. T. Smith,
J. J. Sumpter,
D. W. Thomason,
L. L. Thompson,
J. D. W. Villar,
Joseph Wright,
The Speaker.

Those who voted in the negative, are:

Mr Neill Brown, Mr J. B. Chaplin.

Those absent or not voting, are:

Mr J. A. Ansley,
H. H. Barton,
C. E. Berry,
Thos. Barrow,
W. B. Carter,
W. H. Cate,
Charles Coffin,
J. Cleveland,
B. H. Crowley,
J. D. Cunningham,
F. Doswell

Mr W. Foreman,
W. E. Hawkins,
D. W. Jacks,
A. A. Johnson,
J. E. Joslyn,
A. Lee,
W. M. C. Clellan,
P. M. C. Cowen,
B. McGuire,
Robert Polk,
H. M. Purefoy.

Mr O. P. Richardson,
J. C. Rollins,
R. H. Spears,
J. S. Stephenson,
S. L. Strong,
S. P. Swepston,
J. M. Thompson,
C. W. Tinkersley,
L. C. White,
J. W. Williams.

A message from the Senate, by Mr Orrick, their Secretary.

Senate Chamber,

Little Rock, Ark, May 27th 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable

May 27, 1874.

body, of the passage by the Senate of Sub. for House bill No 36, entitled an Act to provide for the assessment of the real estate of the several Counties in the State of Arkansas - Also, House Bill No 15, an Act entitled, an Act to repeal an Act in relation to the forfeited lands in certain Counties in the State of Arkansas; and herewith respectfully return the same.

On motion of Mr. Reid,

The House passed to the consideration of the bill of Senate (S. 24) entitled an Act authorizing the funding of the debt of the City of Little Rock, and appointing Luke E. Barber, P. A. Simmons and John J. Clemenis, a Board of Commissioners to audit and scale said indebtedness.

Which was read a first time.

And

On motion of Mr L. L. Thompson.

Ordered, That the bill lie on the table.

On motion of Mr Supter.

The Speaker, was authorized to appoint a Committee of three, as Managers, to present and prosecute before the bar of the Senate, the Articles of Impeachment against W. H. Grey, the Commissioner of State Lands, for the State.

The Speaker subsequently appointed as such Committee, Mr B. H. Crowley, X. J. Pindall and C. C. Johnson.

Under the rule.

Mr Crowley, from the Committee on engrossed bills, reported correctly engrossed, the bill of the House (H. R. 9) entitled, an Act to repeal an Act entitled, An Act to regulate the publication of legal notices, approved July 14, 1868, and to provide for the manner of such publication.

On motion of Mr Pindall.

The House passed to the consideration of the bill of the House (H. R. 9) entitled, an Act to repeal an Act entitled, an Act to regulate the publication of legal notices, approved, July 14, 1868, and to provide for the manner of such publication.

Which was read a first time.

On motion of Mr Crowley

May 27. 1874.

under a suspension of the rules.

The bill was read a second time by title.

On motion of Mr Crowley, the rules were further suspended (two-thirds of the members present voting therefor.) And

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	48.
Nays.	1
Not Voting:	33.

Those who voted in the affirmative, are:

Mr W. A. Beasley.	Mr D. S. Hart.	Mr J. D. Preston.
D. Bideuthal.	Mr. Nixon.	W. H. C. Reid.
D. D. Brock.	W. W. Hughey.	J. F. Smith.
J. B. Burton.	D. J. Hynds.	J. J. Supter.
David Chandler.	A. D. King.	S. P. Swepston.
J. P. Chapline.	B. W. Johnson.	J. M. Thompson.
Charles Coffin.	C. C. Johnson.	D. W. Thomason.
J. H. Crowley.	L. L. Johnson.	L. L. Thompson.
F. Doswell.	R. Joyner.	J. D. W. Viller.
J. F. Davies.	A. K. Lester.	J. P. Venable.
Mr. W. Duffie.	A. J. Marsh.	A. J. Wheat.
J. P. Eagle.	L. B. Mitchell.	L. C. White.
A. W. Files.	William Murphy.	Joseph Wright.
J. M. Foster.	W. D. McChellaw.	The Speaker.
L. D. Gilbreath.	B. M. Guire.	
J. M. Gist.	D. J. Montgomery.	
J. W. Gossett.	X. J. Pindall.	

Voting in the negative: Mr Will Brown.

Those absent or not voting, are:

Mr O. P. Anderson, J. A. Ansley, H. H. Arnold, H. H. Barton, A. E. Beardsley, C. E. Berry, Thos. Barrow, D. Bideuthal, D. D. Brock.

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Mr W. B. Carter, W. H. Cate, J. D. Conway, J. Cleveland, J. G. Cunningham, L. W. Davis, M. M. Ennin, W. Foreman, M. E. Hawkins, J. M. Jacks, A. R. Johnson, J. E. Joslyn, R. Lee, P. M. Cowen, Robert Cook, H. M. Purefoy, O. P. Richardson, J. C. Rollins, G. S. Scott, R. H. Spears, J. S. Stephenson, S. L. Strong, C. W. Taubensky, John C. Walker, J. T. Wheeler, J. W. Williams.

So the bill was passed.

On motion of Mr Ried,

The House passed to the consideration of the bill of the House (H. A. 38.) entitled, an Act of pardon and amnesty, together with the Senate amendment thereto, as follows:

That the bill be amended by striking out the proviso to Section 2. and insert in lieu thereof, the following:

Provided, that no civil officer shall be pardoned by the provisions of this Act, for any offence or offences he may have committed, and which are the subject of Impeachment, under existing laws. also.

By inserting the following Section:

Section 3. Be it further enacted,

That a full and free pardon and amnesty is hereby granted to all commissioned Officers and privates in the Militia forces of this State called into service by Elisha Baxter, Governor thereof, for all acts and offences done or committed against the Criminal Laws of the State and not inconsistent with the recognized rules and usages of civilized warfare.

Mr Sumpter, moved that the House concur in the Senate amendment.

The question being put.

It was decided in the affirmative.

{	Yeas.	32.
	Nays.	26
	Not Voting.	24.

Those who voted in the affirmative, are:

Mr

O. P. Anderson.
H. H. Arnold.
A. E. Beardsley.
W. A. Beasley.
D. Bridenbath.
Neill Brown.
J. B. Burton.
W. H. Cate.
David Chandler.
J. B. Chapline.
F. Doswell.

Mr J. F. Davies.
Mr M. Duffin.
J. P. Eagle.
J. W. Foster.
W. W. Hughey.
D. J. Hynds.
B. W. Johnson.
C. C. Johnson.
A. H. Lester.
William Murphy.
B. M. Guire.

May 27, 1874.
Mr D. J. Montgomery.
W. H. C. Reid.
G. S. Scott.
J. F. Smith.
L. L. Thompson.
John C. Walker.
J. T. Wheeler.
A. J. Wheat.
Joseph Wright.
The Speaker

Those who voted in the negative, are:

Mr H. A. Barton.	Mr J. W. Gossett.	Mr X. J. Pindall.
D. D. Brock.	D. G. Hart.	J. D. Preston.
Charles Coffin.	Mr. Nixon.	J. J. Supter.
J. D. Conway.	A. D. King.	S. P. Sweepston.
B. H. Crowley.	L. L. Johnson.	J. M. Thomason.
L. W. Davis.	A. Joyner.	J. D. W. Diller.
A. W. Files.	A. J. Marsh.	J. P. Venable.
L. D. Gilbreath.	L. B. Mitchell.	L. C. White.
J. W. Gist.	W. D. M. Clellan	

Those absent or not voting, are:

Mr J. A. Anley.	Mr W. E. Hawkins.	Mr O. P. Richardson.
C. E. Perry.	D. M. Jacks.	J. C. Rollins.
Thos. Barrow.	A. R. Johnson.	P. H. Spears.
W. D. Carter.	J. E. Joslyn.	J. S. Stephenson.
J. Cleveland.	R. Lee.	S. L. Strong.
J. T. Cunningham.	P. M. Cowen.	D. W. Thomason.
W. W. Erwin.	Robert Poek.	C. W. Daukeshire.
W. Foreman.	H. M. Purefoy.	J. W. Williams.

So the Senate Amendments were Concurred in.

By unanimous consent,

Mr Burton, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 56) entitled, an act authorizing Gas Companies to increase their Capital

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Stock, reported the same, and recommended its passage.

On motion of Mr Burton.

The House passed to the consideration of the bill last reported.

Which was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas	41.
	Nays	1
	Not Voting:	40.

Those who voted in the affirmative, are:

Mr H. H. Barton.
A. E. Beardsley.
D. B. Bidenthal.
D. D. Brock.
J. B. Burton.
W. H. Cate.
David Chandler.
J. P. Chapline.
J. D. Conway.
F. Doswell.
J. F. Davies.
M. M. Duffie.
J. P. Eagle.
A. H. Files.

Mr J. M. Foster.
J. M. Gist.
J. W. Gossett.
D. G. Hart.
W. W. Hughes.
D. J. Hynds.
A. D. King.
R. Joyner.
P. H. Lester.
L. B. Mitchell.
William Murphy.
W. J. McClellan.
B. M. Guire.
J. D. Preston.

Mr W. H. C. Reid.
S. S. Scott.
J. T. Smith.
J. J. Sumpster.
S. P. Swepton.
L. L. Thompson.
J. P. Venable.
John C. Walker.
J. T. Wheeler.
J. W. Williams.
Joseph Wright.
The Speaker.
+ L. L. Gilbreath.

Voting in the negative:

Mr Neill Brown.

Those absent or not voting, are:

Mr O. P. Anderson.
J. A. Ansley.
H. H. Arnold.
H. A. Beasley.
C. E. Berry.

Mr Thos. Barrow.
W. B. Carter.
Charles Coffin.
J. Cleveland.
B. H. Crowley.

Mr J. T. Cunningham.
L. H. Davis.
M. M. Erwin.
W. Foreman.
M. E. Hawkins.

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Mr Wm. Nixon.

D. M. Jacks.

A. R. Johnson.

B. W. Johnson.

C. C. Johnson.

L. L. Johnson.

J. E. Joslyn.

A. Lee.

Mr A. J. Marsh.

P. M^c. Bowen.

D. J. Montgomery.

X. J. Pindall.

Robert Cook.

H. M. Purfoy.

O. P. Richardson.

J. C. Rollins.

Mr A. H. Spears.

J. S. Stephenson.

S. L. Strong.

J. M. Thompson.

D. W. Thomason.

J. V. W. Diller.

C. W. Dauterley.

A. J. Wheat.

L. C. White.

So the bill was passed.

Mr Reed, from the Committee appointed on the part of the House to act with a similar Committee of the Senate, to investigate the matter of the contest of J. R. Berry, vs Stephen Wheeler, submitted as a privileged question, the following report, which was read, viz:

Mr Speaker:

Your Committee to whom was referred the matter of the contest of Berry, against Wheeler, for the office of Auditor of the State of Arkansas, raised as a consequence of the petition of said Berry, presented to and entertained by this House, and upon whom was placed the duty of investigating the said matter of contest, beg leave to report that: Acting in conjunction with a like Committee of the Senate, appointed on the part of that honorable body, to investigate said matter, they served notices on the parties contestant, notifying them of the time and place of the meetings of said Joint Committee, at which time and place said contestants J. R. Berry, and Stephen Wheeler, both appeared in person, and in writing and orally submitted their respective claims to said office of Auditor. And said Joint Committee after considering evidence submitted by said Berry on his behalf, which evidence consisted of sundry depositions taken in pursuance of notice served upon said Wheeler, by said Berry, according to law. Said depositions showing the legal vote cast in several Counties at the regular election, held on the 5th day of November 1872; and after considering the sworn statement of said Wheeler, and his oral statement touching the matter in controversy, and granting to him all that he claims under such sworn statement, against the objection of said Berry, and conceding that the returns of said Election as promul-

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gated by the presiding officers of the Senate, on the 6th day of January 1873, are correct, except so far as modified by the evidence produced before this Committee, find as follows, to wit:

That at said Election, said Perry, received at least 42,597 votes, and that said Wheeler, received 40,953 votes, leaving a majority of 1644 votes for said Perry.

All of which Your Committee would respectfully submit.

W. H. C. Ried.

Chairman.

Mr Brown, moved that the report of the Committee be adopted.

Mr Scott, asked for the Yeas and Nays.

The question being put.

It was decided in the affirmative.

Yeas.	42.	}
Nays.	6.	
Not Voting:	34.	

Those who voted in the affirmative, are:

Mr A. H. Arnold.	Mr L. D. Gilbreath.	Mr X. J. Pindall.
H. H. Barton.	J. M. Gist.	J. E. Preston.
W. A. Beasley.	J. W. Gossett.	W. H. C. Ried.
D. Bridenbach.	D. G. Hart.	G. S. Scott.
Neill Brown.	Mr. Nixon.	J. V. Smith.
David Chandler.	W. W. Hughey.	S. A. Sweepston.
J. P. Chapline.	D. J. Hynds.	J. M. Thompson.
Charles Coffin.	A. D. King.	D. W. Thomason.
J. D. Conway.	R. Joyner.	L. L. Thompson.
F. Doswell.	A. K. Lester.	J. P. Venable.
J. F. Davies.	L. B. Mitchell.	John C. Walker.
J. P. Eagle.	William Murphy.	J. V. Wheeler.
A. W. Files.	W. J. M. Cellan.	Joseph Wright.
J. M. Foster.	D. J. Montgomery.	The Speaker.

Those who voted in the negative, are:

Mr A. E. Beardsley.
D. D. Brock, C. C. Johnson, B. McGuire, A. J. Wheat, J. W. Williams.

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Those absent or not voting, are:

Mr O. O. Anderson,	Mr Mr. Duffie,	Mr P. M. Cowen,
J. A. Ansley,	Mr. Mr. Erwin,	Robert Oak,
C. E. Perry,	W. Foreman,	H. M. Purfoy,
Thos. Rarow,	M. E. Hawkins,	O. P. Richardson,
J. A. Airtow,	T. M. Jacks,	J. C. Collins,
W. D. Carter,	A. B. Johnson,	A. H. Spears,
W. H. Cate,	B. W. Johnson,	J. S. Stephenson,
J. Cleveland,	L. L. Johnson,	S. L. Strong,
B. H. Crosby,	J. E. Jaslyn,	J. J. Sumpter,
J. F. Cunningham,	R. Lee,	J. J. W. Diller,
L. H. Davis,	A. J. Marsh,	C. W. Dankushy,
		L. C. White,

So the report of the Committee was adopted.

By unanimous consent,

Mr Walker, introduced a joint resolution (H. J. Res. 12), a joint resolution providing for a joint session of the General Assembly December 8, 1874, to decide upon the contest of J. B. Perry vs Stephen Wheeler, for the office of Auditor of State.

Which was read a first time.

By unanimous consent,

Under a suspension of the rules.

The joint resolution was read a second time by title.

On motion of Mr Beardsley,

The rules were further suspended (two-thirds of the members present voting therefor.)

And

The joint resolution was read a third time, and placed upon its passage.

The question being put, Shall the joint resolution pass?

It was decided in the affirmative.

{	Yeas,	51.
	Nays,	2.
	Not voting,	29.

May 27, 1874.

Those who voted in the affirmative, are:

Mr H. H. Barton.	Mr L. D. Gilbreath.	Mr D. J. Montgomery.
A. E. Beardsley.	J. M. Gist.	X. J. Randall.
W. A. Beasley.	J. W. Gossett.	J. T. Preston.
D. Bridenthal.	D. G. Hart.	W. H. C. Ried.
Neill Brown.	Mr. Nixon.	J. T. Smith.
J. P. Burton.	W. W. Hughey.	J. J. Sumpter.
W. H. Cate.	D. J. Hynds.	S. P. Swepston.
David Chaudler.	A. D. King.	J. M. Thompson.
J. P. Chapline.	B. W. Johnson.	O. W. Thomason.
Charles Coffin.	C. C. Johnson.	J. S. W. Miller.
F. Doswell.	R. Joyner.	J. P. Venable.
L. W. Davis.	R. H. Lester.	John C. Walker.
J. T. Davies.	A. J. Marsh.	J. T. Wheeler.
Mr. M. Duffie.	L. B. Mitchell.	L. C. White.
J. P. Eagle.	William Murphy.	J. W. Williams.
A. W. Files.	W. D. McClaw.	Joseph Wright.
J. M. Foster.	B. M. Guire.	The Speaker.

Those who voted in the negative, are:

Mr D. D. Brock. Mr J. D. Conway.

Those absent or not voting, are:

Mr O. P. Anderson.	Mr W. Foreman.	Mr O. P. Richardson.
J. A. Ansley.	Mr. E. Hawkins.	J. C. Rollins.
H. H. Arnold.	J. M. Jacks.	G. S. Scott.
C. E. Berry.	A. R. Johnson.	A. H. Spears.
Thos. Barrow.	L. L. Johnson.	J. S. Stephenson.
W. O. Carter.	J. E. Joslyn.	S. L. Strong.
J. Cleveland.	R. Lee.	L. L. Thompson.
B. H. Crowley.	P. M. Cowen.	C. W. Dauterley.
J. F. Cunningham.	Robert Polk.	A. J. Wheat.
M. M. Erwin.	H. M. Purfoy.	

So the joint resolution was passed.

A message from the Senate.

By Mr. Orrick, their Secretary.

May 27, 1874.
Senate Chamber.
Little Rock, Ark. May 27.th 1874.

Mr Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of Substitute for Senate Bill No. 2. An Act entitled, an act to redistrict the State for Congressional purposes.

Also, of the passage of House Bill No. 72. with the following amendments "Strike out the name of H. C. C. Potefuhr, and insert the name of James M. Johnson where ever it occurs", and which is herewith respectfully returned, and your concurrence therein solicited.

On motion of Mr Diller,

The House passed to the consideration of the Substitute for the bill of the Senate (Sub. S. 2) entitled, an act to redistrict the State for Congressional purposes.

Which was read a first time.

On motion of Mr Sumpter.
The rules were suspended, (two-thirds of the members present voting therefor,) And

The bill was read a second time, by title.

Mr Pindall moved, That the rules be further suspended and that the bill be read a third time.

Which was not agreed to. (two-thirds of the members present not voting therefor.)

Then

On motion of Mr Pindall,

Ordered, That the bill be made special order for a third reading, at 10 o'clock A.M. on the morrow.

On motion of Mr Thomason,

The House passed to the consideration of the bill of the House (H. R. 72) entitled, an Act in reference to the Arkansas Industrial University, its effects, officers and management; together with the Senate amendment thereto, that the bill be amended by striking out the name of "H. C. C. Potefuhr" and insert in lieu thereof the name of "James M. Johnson."

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Mr. Thomason, moved that the House concur in the Senate amendments.

The question being put,

It was decided in the affirmative.

Yeas. 47.
Nays. 2.
Not Voting: 33. }

Those who voted in the affirmative, are:

Mr. N. N. Arnold.
N. H. Barton.
A. E. Beardsley.
W. A. Beasley.
D. Bideuthal.
D. D. Brock.
J. B. Burton.
W. H. Cate.
David Chaudler.
Charles Coffin.
J. D. Conway.
B. H. Crowley.
F. Doswell.
J. F. Davies.
M. M. Duffie.
J. P. Eagle.

Mr. J. M. Foster.
L. D. Gilbreath.
J. M. Gist.
J. W. Gossett.
D. G. Hart.
Mr. Nixon.
D. J. Hynds.
A. D. King.
C. C. Johnson.
L. L. Johnson.
R. Joyner.
P. M. Lester.
A. J. Marsh.
L. B. Mitchell.
William Murphy.
W. J. M. C. Mcllaw.

Mr. D. M. Guire.
D. J. Montgomery.
X. J. Pindall.
J. D. Preston.
W. H. C. Ried.
J. T. Smith.
J. J. Slaughter.
J. M. Thompson.
D. W. Thomason.
J. D. W. Diller.
J. O. Venable.
John C. Walker.
J. T. Wheeler.
Joseph Wright.
The Speaker.

Those who voted in the negative, are:

Mr. Neill Brown Mr. A. W. Files.

Those absent or not voting, are:

Mr. O. P. Anderson.
J. A. Ansley.
C. E. Berry.
Thos. Barrow.
H. P. Carter.
J. B. Chaplin.
J. Cleveland.
J. H. Cunningham.

Mr. L. W. Davis.
M. M. Erwin.
Mr. E. Hawkins.
W. W. Hughey.
J. M. Jacks.
A. R. Johnson.
B. H. Johnson.
J. E. Joslyn.

Mr. A. Lee.
P. M. Cowen.
Robert Polk.
H. M. Purefoy.
O. P. Richardson.
J. C. Rollins.
G. S. Scott.
A. H. Spears.

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Mr J. S. Stephenson.
S. L. Strong.
S. P. Swepston.

Mr L. L. Thompson.
C. W. Danksby.
A. J. Wheat.

Mr L. C. White.
J. W. Williams.

So the Senate amendments were concurred in.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Mr Speaker:

I am instructed by the Senate to inform your Hon. body, that the Senate has passed House Bill No. 62, an Act to be entitled, an Act to authorize the location of the County Seat of Barber County.

Also, Senate Bill No. 17, a bill to be entitled, an Act defining the line between the Counties of Pope and Conway; both of which are herewith respectfully returned.

By unanimous consent.

Mr Erwin, from the Committee on Counties and County Lines, to whom was referred the bill of the House, H. R. 34, entitled, an Act to amend Sections 4 and 6. of an Act entitled, an Act to organize and establish the County of Garland, and for other purposes, reported the same and recommended a Substitute therefor: Entitled, an Act to amend Section 4. of an Act entitled, an Act to organize and establish the County of Garland, and for other purposes.

The report of the Committee was adopted, And The Substitute
was accordingly adopted in lieu of the original bill.

By unanimous consent.

On motion of Mr Pridenthal, under a suspension of the rules,

The bill last reported, was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas.	54
Nays.	1
Not Voting.	2

May 27, 1874.

Those who voted in the affirmative, are:

Mr H. H. Barton.

A. E. Beardsley.

W. A. Beasley.

D. Bridenbald

D. D. Brock.

Neill Brown.

J. B. Burlin.

W. H. Cate.

David Chandler.

J. B. Chapline.

Charles Coffin.

J. D. Conway.

B. H. Crowley.

F. Doswell.

L. W. Davis.

J. T. Davies.

Mr. Mr. Duffie.

J. P. Eagle.

Mr A. W. Files.

W. Foreman.

J. M. Foster.

L. D. Gilbreath.

J. M. Gist.

J. W. Gossett.

D. G. Hart.

Mr. Nixon.

W. W. Hughey.

D. J. Hynds.

A. D. King.

B. W. Johnson.

C. C. Johnson.

L. L. Johnson.

A. Joyner.

O. K. Lester.

A. J. Marsh.

L. O. Mitchell.

Mr William Murphy.

W. J. McCallaw.

B. M. Guire.

D. J. Montgomery.

J. J. Preston.

W. H. C. Reid.

J. T. Smith.

J. J. Sumpter.

J. M. Thompson.

D. W. Thomason.

J. A. Venable.

John C. Walker.

J. T. Wheeler.

A. J. Wheat.

L. C. White.

J. W. Williams.

Joseph Wright.

The Speaker.

Voting in the negative: Mr G. S. Scott.

Those absent or not voting, are:

Mr O. P. Anderson.

J. A. Ansley.

H. H. Arnold.

C. E. Berry.

Thos. Barrow.

W. D. Carter.

J. Cleveland.

J. T. Cunningham.

Mr. Mr. Erwin.

Mr Mr. E. Hawkins.

D. M. Jacks.

A. R. Johnson.

J. E. Joslyn.

A. Lee.

P. M. Cowen.

X. J. Pindall.

Robert Polk.

H. M. Purefoy.

Mr O. P. Richardson.

J. C. Rollins.

R. H. Spears.

J. S. Stephenson.

L. L. Strong.

G. P. Sweetston.

L. L. Thompson.

J. D. W. Tiller.

C. W. Tankersley.

So the bill was passed.

By unanimous consent,

Mr Coffin, from the Committee appointed by the House, to act with a similar Committee of the Senate, to ascertain and report who was in charge of and responsible

May 27, 1874.

for the sinking of the Steamer "Hallie", submitted the following report, which was read, viz:

Mr Speaker:

Your Special Committee which was appointed to examine and enquire into the matter of the sinking of the Steamer "Hallie," beg leave to report as follows, to wit:

That without authority to send for persons and papers we have examined such parties as we could get voluntarily before us, and find and report, as follows:

The Steamer "Hallie," was taken possession of on the 7th day of May, under orders of Maj. Genl. Newton, Commanding State Guards; was captured by a body of the troops, acting under authority of Joseph Brooks pretending to be Governor of the State of Arkansas. On the 8th or 9th of May, said Steamer was taken possession of by the U. S. Marshal, and by order of the U. S. Commissioner, was turned over to Daniel Donnelly, Mate of said Steamer, and was immediately thereafter seized by one John Brooker, claiming to be a Colonel in the Military Command of said Joseph Brooks, and at the time Commanding a force of armed men, belonging to said Command, and claiming to act under authority of Joseph Brooks. The said Steamer was sunk while in the possession of said Brooker, but your Committee cannot learn authoritatively that said Brooker ever had any orders from any superior officer, either to seize or sink said Steamer.

By unanimous consent.

Mr Doswell, from the Committee on the Judiciary to whom was referred the bill of the House (H. R. 29) entitled, an Act to amend Section 9 of Chapter 169 of Gould's Digest, in relation to Groceries and dram shops, and also, the bill of the House (H. R. 42) entitled, an Act governing the licensing of Groceries and dram shops, and for other purposes; reported the same, and recommended a substitute therefor, entitled, an Act to regulate the licensing of dram shops, and for other purposes.

The report of the Committee was adopted.

And the substitute was accordingly adopted, in lieu of the original bill.

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Mr Brown, moved that the bill be amended, by inserting the following proviso:

"Provided however, that all persons living outside of incorporated towns, shall not be required to give more than a bond of One Thousand Dollars."

Which was not agreed to.

Mr Supter, moved that the bill lie on the table.

Which was not agreed to.

On motion of Mr Beardsley, The bill was read a third time, and placed upon its passage.

Mr Hynds moved the previous question, which was seconded, and the main question ordered, viz:

Shall the bill pass? The question being put.

It was decided in the affirmative,

Yeas,	40.
Nays,	17.
Not Voting:	25.

Those who voted in the affirmative, are:

Mr H. H. Arnold.	Mr J. P. Eagle.	Mr L. D. Mitchell.
H. H. Barton.	W. W. Erwin.	William Murphy.
A. E. Beardsley.	A. W. Files.	W. J. McCallan.
D. Bridenhal.	J. W. Foster.	D. J. Montgomery.
D. D. Brock.	L. D. Gilbreath.	J. D. Preston.
Neill Brown.	J. M. Gist.	J. F. Smith.
J. B. Burton.	J. W. Gossett.	D. W. Thomason.
W. H. Cate.	D. G. Hart.	J. D. W. Viller.
Charles Coffin.	L. J. Hynds.	J. P. Venable.
J. D. Conway.	C. C. Johnson.	John C. Walker.
B. H. Crowley.	R. Joyner.	J. W. Wheeler.
F. Dosewell.	P. H. Lester.	A. J. Wheat.
J. F. Davies.	A. J. Marsh.	L. C. White.
		Joseph Wright.

Those who voted in the negative, are:

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Mr W. A. Beasley.
David Chandler.
J. B. Chaplin.
L. W. Davis.
Mr. Mc Duffie.
Mr. Nixon.

Mr A. D. King.
B. W. Johnson.
B. M. Guire.
X. J. Piddall.
W. H. C. Reed.
G. S. Scott.

Mr J. J. Sumpter.
S. P. Sweetston.
J. M. Thompson.
J. W. Williams.
The Speaker.

Those absent or not voting, are:

Mr O. P. Anderson.
J. A. Ansley.
C. E. Berry.
Thos. Barrow.
W. B. Carter.
J. Cleveland.
J. F. Cunningham.
W. Foreman.

Mr W. E. Hawkins.
W. W. Hughey.
D. M. Jacobs.
A. B. Johnson.
L. L. Johnson.
J. E. Joslyn.
R. Lee.
P. M. Cowen.

Mr Robert Poek.
H. M. Purefoy.
O. P. Richardson.
J. C. Rollins.
P. H. Spears.
J. S. Stephenson.
S. L. Strong.
L. L. Thompson.
C. W. Jankensky.

So the bill was passed.

On motion of Mr Davies,

The House passed to the consideration of the bill of the Senate (S. 23) entitled, An Act in relation to the practice of Medicine and Surgery in the State of Arkansas.

Mr Chaplin, moved that the bill lie on the table.

Which was not agreed to.

After debate,

On motion of Mr Reed,

that the bill be rejected.

Ordered,

Mr B. W. Johnson, at 10 o'clock and 43 minutes P.M. moved that the House adjourn until 9 o'clock A.M. on the morrow.

Which was not agreed to.

On motion of Mr Davis

The House passed to the consideration of the bill of the Senate (S. 17) entitled.

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an act to define the line between the Counties of Pope and Conway.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

On motion of Mr Davis.

The rules were, by unanimous consent, further suspended, And The bill was read a third time, and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

{	Yeas.	49.
	Nays.	None.
	Not Voting.	33.

Those who voted in the affirmative, are:

Mr H. H. Arnold.

H. H. Barton.

A. E. Beardsley.

W. A. Beasley.

D. D. Brock.

Neill Brown.

J. P. Burton.

W. H. Cate.

David Chandler.

J. B. Chapline.

Charles Coffin.

J. D. Conway.

B. H. Crowley.

F. Doswell.

L. W. Davis.

J. V. Davies.

Mr J. P. Eagle.

Mr. M. Ewin.

A. W. Files.

J. M. Foster.

L. D. Gilbreath.

J. M. Gist.

J. W. Gossett.

Mr. Nixon.

W. W. Hughey.

D. J. Hynds.

A. D. King.

B. W. Johnson.

C. C. Johnson.

L. L. Johnson.

A. Joyner.

A. C. Lester.

Mr A. J. Marsh.

William Murphy.

W. D. McClaw.

D. J. Montgomery.

L. J. Pindall.

J. D. Preston.

W. H. C. Ried.

J. J. Sumpter.

D. H. Thomason.

J. D. W. Viller.

J. P. Venable.

John C. Walker.

J. T. Wheeler.

A. J. Wheat.

J. W. Williams.

Joseph Wright.

The Speaker.

None voting in the negative.

May 27, 1874.

Those absent or not voting, are:

Mr O. P. Anderson.	Mr M. E. Hawkins.	Mr J. C. Rollins.
J. A. Ansley.	F. M. Jacks.	G. S. Scott.
C. E. Berry.	A. R. Johnson.	J. S. Smith.
Thos. Barrow.	J. E. Joslyn.	P. H. Spears.
D. B. Bidenthal.	R. Lee.	J. S. Stephenson.
W. B. Carter.	L. B. Mitchell.	S. L. Strong.
J. Cleveland.	P. M. Cowen.	S. P. Swepston.
J. F. Cunningham.	D. M. Guire.	J. M. Thompson.
Mr M. Duffie.	Robert Falk.	L. L. Thompson.
W. Foreman.	H. M. Purefoy.	C. W. Dankersky.
D. G. Hart.	O. P. Richardson.	L. C. White.

So the bill was passed.

Mr Reid, at 10 o'clock and 55 minutes P.M. moved that the House adjourn until 9 o'clock A.M. on the morrow. Which was not agreed to.

Mr White moved that the Select Committee on Impeachment be allowed to submit a report.

Pending which Mr Brown at 10 o'clock and 57 minutes P.M. moved that the House adjourn until 9 o'clock A.M. on the morrow. Which was not agreed to.

The question being on the motion that the Select Committee on Impeachment be allowed to submit a report.

Mr Swifter, called for the Yeas and Nays. The question being put And

The roll being called, it appeared that a quorum had not voted. Then

On motion of Mr Walker, The House at 11 o'clock and 1 minute P.M. adjourned until 9 o'clock A.M. on the morrow.

Approved:

Chas C Rios Jr.
Clerk of the House.

Jarnes H. Berry
Speaker of the House.

House of Representatives.
Thursday, May 28, 1874.

The House met at 9 o'clock A.M.

The Roll being called, it appeared that the following named Members were present and answered to their names viz:

Mr O. P. Anderson,
 H. H. Arnold,
 H. H. Barton,
 W. A. Beasley,
 D. Bridenbath,
 D. D. Brock,
 Keill Brown,
 J. B. Burton,
 W. B. Carter,
 David Chandler,
 J. B. Chaplin,
 Charles Coffin,
 B. H. Crowley,
 F. Dawwell,
 L. W. Davis,
 J. F. Davies,
 Mr. Mr. Duffie,
 J. P. Eagle,
 Mr. Mr. Erwin.

Mr A. W. Files,
 W. Foreman,
 J. W. Foster,
 L. D. Gilburt,
 J. W. Gist,
 J. W. Gossett,
 Mr. E. Hawkins,
 Mr. Hixon,
 W. W. Hughey,
 D. J. Hynds,
 A. D. King,
 B. W. Johnson,
 C. C. Johnson,
 L. L. Johnson,
 A. Joyner,
 O. H. Lester,
 A. J. Marsh,
 L. B. Mitchell,
 William Murphy.

Mr W. J. McCallaw,
 B. M. Guire,
 X. J. Pindall,
 J. T. Preston,
 W. H. C. Reed,
 J. T. Smith,
 S. P. Sweepston,
 J. M. Thompson,
 J. W. Thomason,
 L. L. Thompson,
 J. D. W. Diller,
 J. O. Venable,
 John C. Walker,
 J. T. Wheeler,
 H. J. Wheat,
 E. C. White,
 J. W. Williams,
 Joseph Wright,
 The Speaker.

Prayer by the Chaplain pro tempore.

The reading of the Journal was dispensed with.

Mr White, from the Select Committee on Impeachment, asked to be allowed to submit a report.

When

On motion of Mr Reid,

Ordered, That the further report of the Select Committee on Impeachment be postponed until December 8, 1874.

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Mr Bideuthal moved,

That it is the sense of this House, that there has been unparalleled frauds upon the ballot in this State. that we bid the Congressional Committee recently appointed God-speed, in investigating and exposing these frauds, and that in our solemn judgment, the Constitutional Convention shortly to convene, will, by organic law, protect the freedom, fairness and purity of the ballot, and thus secure for ourselves and posterity the blessings of Republican Government. To the enthusiastic support of that convention, we invite all men in the State irrespective of party.

Mr Walker, moved,

That the motion be amended by striking out all that portion in relation to the Congressional Committee.

After debate,

Mr Pindall submitted the following resolution as a substitute for the motion of Mr Bideuthal, which was read, considered and agreed to, viz:

Resolved,

That it is the sense of this House, that should a Congressional Committee come to Arkansas, to investigate the late Election, and whether we have a Republican Government, every assistance should be given them to enable said Committee to discharge the duties imposed upon them.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Mr Speaker,

I am instructed by the Senate to inform your Hon. body, that the Senate has passed House Bill No. 33, an Act for the removal of the County seat of Prairie County.

Under the rule,

Mr B. W. Johnson, from the Committee on Enrolled Bills, reported correctly enrolled the Substitute for the bill of the House (Sub. H. R. 19.) entitled, an Act to remove the County seat of the County of St. Francis.

May 28. 1874.

Also, the Joint Resolution of the House (H. Jt. Res. 10.) a joint resolution providing for the adjournment of the General Assembly May 28, 1874, to meet again on the first Monday of December 1874.

On Motion of Mr Sumpter,

The Speaker was authorized to appoint a Committee of three, to remain at the Capitol to superintend the enrollment of bills and the preparation and signing of the Journals of the House.

The Speaker appointed as such Committee, Mr J. S. Preston, Mr J. P. Eagle and Mr J. B. Chapline.

Mr Hughey, from the Select Committee appointed to wait upon and ascertain by whose authority the County of Jefferson was placed under Martial law, submitted the following report which was read, viz:

Mr Speaker:

The Special Committee appointed by the House to ascertain of the Governor, by whose authority Martial law was being enforced in Jefferson County, beg leave to submit the following report:

That they have through their Chairman waited on his Excellency Governor Baxter, and he informs us, that he has given no authority for, and is not aware of the fact that Martial Law does exist in Jefferson County. All of which is respectfully submitted.

On motion of Mr Erwin,

The House passed to the consideration of the bill of the House (H. R. 28.) entitled an Act to repeal an Act entitled, an Act for the benefit of the Arkansas Institute for the blind, approved April 23, 1873.

Which was read a second time.

On motion of Mr B. W. Johnson,

The bill was amended by inserting after Section 2. the following Section:—

Section 3. Be it further enacted

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That the Land or Lots donated to the Blind Institute, in said Act, approved April 1873, be appraised by three Commissioners appointed by the Governor, and that an amount of money equal to the appraised value of said Land or Lots, is hereby appropriated to the Blind Institute, for building purposes, out of any money in the Treasury, not otherwise appropriated, and that the Auditor is hereby authorized and directed to draw his warrant in favor of said Blind Institute, on the Treasury, when said Commissioners shall have filed in his office, said appraisement.

Mr Miller, presented a protest from Otis Patten, Superintendent of the Institute for the Blind, against the passage of the bill.

Objection being made to the reading of the protest.

Mr L. L. Thompson, moved that the protest be read, Which was not agreed to.

Mr Sumpter, moved that the rules be suspended.

And

That the Bill be read a third time.

Which was not agreed to.

(two-thirds of the members present not voting therefor)

Mr Files, submitted the following preambles and resolutions which were read, viz:

Whereas, all those persons, who were lately in armed hostility to the authorities of the legal State Government, have, in accordance with, and obedience to the proclamation of the President of the United States, laid down their arms and dispersed to their several homes and vocations; and peace, law and order prevails throughout the State.

And

Whereas, The keeping of the Militia in arms is not only expensive but calculated to engender strife, keep up bitterness of feeling, but may lead to further disturbances and perhaps bloodshed; And

Whereas, The exigencies which called the people to arms have passed,

Therefore

Be It Resolved, That it is the sense of this House, that the

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Governor, as Commander-in-Chief of the State troops, should at an early day, disband and muster out of service, all the militia forces of the State now in service on account of the recent disturbances, except such force as he may deem necessary as a body guard, not to exceed one company; and that he be, and is hereby respectfully requested to comply with this request.

The question being on the adoption of the resolution.

Mr Duffie, asked for the Yeas and Nays.

The question being put.

Shall the resolution be adopted?

It was decided in the affirmative.

{ Yeas ..	32.
{ Nays.	23.

The Yeas and Nays being desired by five members.

Those who voted in the affirmative, are:

Mr O. P. Anderson.
H. H. Arnold.
A. E. Beardsley.
W. A. Beasley.
D. Bidenthal.
Neill Brown.
J. B. Burton.
W. D. Carter.
W. H. Cate.
David Chandler.
J. D. Chaplin.

Mr J. H. Crowley.
J. V. Cunningham.
J. V. Davies.
W. W. Duffie.
J. P. Eagle.
H. W. Fles.
J. M. Foster.
L. D. Gilbreath.
D. J. Hynds.
L. L. Johnson.
L. B. Mitchell.

Mr William Murphy.
D. J. Montgomery.
L. J. Pindall.
G. S. Scott.
J. V. Smith.
S. P. Swepston.
J. M. Thompson.
D. W. Thomason.
L. L. Thompson.
J. H. Wheeler.

Those who voted in the negative, are:

Mr Charles Coffin.
F. Darwell.
L. W. Davis.
M. M. Erwin.
J. M. Gist.
J. W. Gossett.
D. G. Hart.

Mr W. E. Hawkins.
W. Nixon.
A. D. King.
C. C. Johnson.
A. Joyner.
P. H. Lester.
W. J. McClellan.

Mr B. M. Guire.
J. D. Preston.
W. H. C. Ried.
J. J. Sumpter.
J. P. Venable.
A. J. Wheat.
L. C. White.

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Mr J. W. Williams, Joseph Knight.

So the resolution was adopted.

On motion of Mr Burton.

The House passed to the consideration of the bill of the Senate (S. 19) entitled, an Act supplemental to an Act providing for a convention of the people of the State of Arkansas, to frame a new Constitution.

Which was read a first time.

Mr Sumpster, moved that the rules be suspended, and that the bill be read a second time by title.

Which was not agreed to, (two-thirds of the members present, not voting therefor.)

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber.

Little Rock, Ark, May 28, 1874

Mr Speaker:

I am instructed by the Senate, to inform your honorable body of the passage by the Senate of House Bill No. 56. a bill to be entitled, an Act authorizing Gas Companies to increase their Capital Stock; and herewith respectfully have mit the same for your favorable consideration.

The Hour of 10 o'clock (A. M. having arrived.

The House passed to the consideration of the special order set for that hour, being the consideration of the substitute for the bill of the Senate (Sub. S. 2) entitled, an Act to redistrict the State for Congressional purposes.

On motion of Mr Erwin.

The further consideration of the special order was postponed for few minutes.

On motion of Mr Erwin.

The House resumed consideration of the bill of the House (H. R. 28) entitled an Act to repeal an Act entitled

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an Act for the benefit of the Arkansas Institute for the Blind, approved April 23. 1873.

Mr L. L. Thompson, called for the reading of the protest presented by Mr Miller, which was read as follows: -

To the Committee on the Penitentiary,
Of the House of Representatives.

Gentlemen:

I understand that on the 19th a bill was introduced into the House, and referred to you, repealing an act passed April 1873, donating to the Blind Institute, for building purposes certain lands, lying South of the Penitentiary, and separated from it by fifth Street and a tier of fractional blocks.

By the provisions of this act, the Trustees of the Institute were authorized to have said lands surveyed off into Blocks and Lots, and disposed of at public sale, after giving thirty days notice - The proceeds to be used in enlarging the accommodations of the Institute.

The Trustees had the land surveyed at considerable expense, but postponed the sale till Fall, supposing that after the gathering of crops money would be more plenty, and the lots consequently bring a higher price. Their plan was to dispose of a portion say, one fourth of the land in alternate lots, then wait six months, and sell another fourth in the same manner, and so on till the whole should be disposed of.

Thus, by taking advantage of the rise in property, they hoped to secure to the Institution the greatest possible benefit from this donation of the State. They hoped to realize twenty-five or thirty thousand dollars with which to erect a main building for the Institute.

Before the time proposed for the sale had arrived the financial crisis was upon the Country, and it was evident that if these lands were offered for sale for half cash, as the law required, they would not bring anything like their value. This consideration, and this alone, determined the Trustees to postpone the sale still further - believing that the Legislature would approve their action in so doing.

Should the bill, now before your Committee, become a law, I believe it would work great injury to the Blind Institute. We are, and have for a long time been, in need of larger,

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and better accommodations. Our present buildings, a considerable portion of which, are temporary frame structures, exposed to great danger from fire, will accommodate only about thirty-five or forty pupils, while there are in the State, at least one hundred blind persons of suitable age to be in school, and whose claims on the State for an education, are as strong as those of the pupils now with us.

If you take this land from us, there is little hope of our being able to erect suitable buildings, for years to come.

The bill now before you, provides for taking this land away from the blind and giving it to the Penitentiary, for a garden and burying ground. If I am not misinformed, the lessees of the Penitentiary, agree to subsist the convicts - this being the case is the State under any obligation to furnish them with a garden? and if so, would it be good economy to place it on land, worth from 12 to 15 hundred dollars per acre?

If the present Penitentiary grounds extending a quarter of a mile west, are insufficient for a garden, the lessees could doubtless, rent good farming land on favorable terms in the neighborhood of their brick-yard, two miles from town.

If there is not room in the Cemeteries of the City to bury the convicts, would it not be better to procure cheap lands for that purpose, which will not in a few years, be surrounded by the City?

Permit me, Gentlemen, in the name of the Blind under my charge, and in the name of those other blind person in the State, who cannot now be accommodated in the Institute for want of room, and who will soon be too old to share its benefits to beg your concurrence with me, in considering the foregoing, as sufficient reasons for your disapproval of this bill.

I have the honor, Gentlemen, to be

Yours very Respectfully

Otis Patten.

Supt. Blind Inst.

Little Rock, Ark. May 21st 1874.

Pending the reading,

On motion of Mr Reed,

Ordered, that the further

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reading of the protest be dispensed with.

Then

On motion of Mr Erwin.

Ordered, that the bill be engrossed for a third reading and be made special order for 11 o'clock A.M.

On motion of Mr White.

The House passed to the consideration of the bill of the Senate (S. 9.) entitled, an act to repeal an act to provide for paying the interest of bonds issued to aid in the construction of railroads, approved April 10. 1869.

Which was read a first time.

By unanimous consent, under a suspension of the rules.

The bill was read a second time by title.

On motion of Mr Erwin.

The rules were further suspended (two-thirds of the members present voting therefor)

And

The bill was read a third time and placed upon its passage.

The question being put, Shall the bill pass?

It was decided in the affirmative.

Yeas:	59.
Nays:	1.
Not Voting:	22.

Those who voted in the affirmative, are:

Mr O. P. Anderson.	Mr J. B. Chapline.	Mr J. P. Eagle.
H. H. Arnold.	Charles Coffin.	Mr. Mr. Erwin.
H. H. Barton.	J. D. Conway.	A. W. Files.
W. A. Beasley.	B. H. Crowley.	W. Foreman.
D. Bidenthal.	J. V. Cunningham.	J. M. Foster.
Neill Brown.	F. Doswell.	L. D. Gilbreath.
J. B. Burton.	L. W. Davis.	J. M. Gist.
W. B. Carter.	J. V. Davies.	J. W. Gossett.
W. H. Cate.	Mr. Mr. Duffie.	D. G. Hart.

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Mr. M. E. Hawkins.
 Mr. Nixon.
 W. W. Hughes.
 D. J. Hynds.
 A. D. King.
 C. C. Johnson.
 L. L. Johnson.
 R. Joyner.
 P. H. Lester.
 A. J. Marsh.
 L. B. Mitchell.
 William Murphy.

Mr. W. J. McClellan.
 B. M. Guire.
 D. J. Montgomery.
 X. J. Pindall.
 J. D. Preston.
 W. H. C. Reid.
 J. F. Smith.
 J. J. Slaughter.
 J. M. Thompson.
 D. W. Thompson.
 J. D. W. Diller.
 J. A. Venable.

Mr. John C. Walker.
 J. W. Wheeler.
 A. J. Wheat.
 L. C. White.
 J. W. Williams.
 Joseph Wright.
 The Speaker
 L. L. Thompson

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Voting in the negative:-

Mr. G. S. Scott.

Those absent or not voting, are:

Mr. J. A. Ansley.
 A. E. Beardsley.
 C. E. Perry.
 Thos. Parrow.
 D. D. Brock.
 David Chandler.
 J. Cleveland.

Mr. S. L. Strong.
 Mr. D. M. Jacks.
 A. A. Johnson.
 B. W. Johnson.
 J. E. Joslyn.
 A. Lee.
 P. M. Cowen.

Mr. S. P. Swepton.
 Mr. Robert Polk.
 H. M. Purfoy.
 O. P. Richardson.
 J. C. Rollins.
 P. H. Spears.
 J. S. Stevenson.
 C. W. Tankersley.

So the bill was passed.

The House proceeded to consider the special order heretofore postponed being the consideration of the Substitute for the bill of the Senate (Sub. S. 2) entitled, an Act to redistrict the State for Congressional purposes.

Which was read a third time.

Pending the debate on the bill.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber, Little Rock Ark, May 28, 1874.

Mr Speaker:

I am instructed by the Senate to inform your honorable body

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of the passage by the Senate of Substitute H. B. No. 34. entitled, an act to amend Sec. 4. of an act entitled, An Act to organize and establish the County of Garland, and for other purposes; and is herewith respectfully returned.

The House having under consideration the Substitute for the bill of the Senate (Sub. S. 2.) entitled, an act to redistrict the State for congressional purposes.

Mr. Sumpter, moved that the bill be placed upon its passage, and also moved the previous question

The question being put, Shall the main question be now put?

It was not agreed to.

So the House refused to order the main question.

After debate.

Mr J. H. Perry, (Mr Cate in the chair) moved that the further consideration of the bill be postponed until after the adjournment of the joint session, of the General Assembly.

Which was not agreed to.

After further debate.

Mr J. H. Perry, (Mr Cate, in the chair) moved the previous question, which was seconded, and the main question ordered, viz:

Shall the bill pass?

The question being put.

It was decided in the negative;

Yeas:	31.
Nays:	30.
Not Voting:	21.

The Roll was called by the Assistant Clerk of the House.

Those who voted in the affirmative are,

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Mr O. P. Anderson.
H. H. Arnold.
J. P. Burton.
W. H. Cate.
Charles Coffin.
J. D. Conway.
B. H. Crowley.
F. Daswell.
J. F. Davies.
Mr. Mr. Duffie.

Mr J. P. Eagle.
H. W. Files.
L. D. Gilbreath.
J. W. Gossett.
D. G. Hart.
B. W. Johnson.
L. L. Johnson.
R. Joyner.
P. K. Lester.
A. J. Marsh.

Mr L. B. Mitchell.
D. J. Montgomery.
X. J. Pindale.
J. T. Preston.
W. H. C. Ried.
J. F. Smith.
J. J. Slaughter.
J. M. Thompson.
J. D. W. Tiller.
John C. Walker.
J. F. Wheeler.

31 members voted in the affirmative.

Those who voted in the negative, are:

Mr H. H. Barton.
A. E. Beardsley.
W. A. Beasley.
D. Bidenthal.
Will Brown.
David Chandler.
J. D. Chapline.
L. W. Davis.
Mr. Mr. Erwin.
W. Foreman.

Mr J. M. Gist.
Mr. E. Hawkins.
Mr. Hixon.
W. W. Hughey.
D. J. Hynds.
A. D. King.
C. C. Johnson.
William Murphy.
W. D. McCallaw.
B. M. Guire.

Mr G. S. Scott.
S. P. Swepton.
D. W. Thomason.
L. L. Thompson.
J. P. Venable.
A. J. Wheat.
L. C. White.
J. W. Williams.
Joseph Wright.
The Speaker.

30 members voted in the negative.

Those absent or not voting, are:

Mr J. A. Ansley.
C. E. Berry.
Thos. Barrow.
D. D. Brock.
W. B. Carter.
J. Cleveland.
J. F. Cunningham.

Mr J. M. Foster.
D. M. Jacks.
A. R. Johnson.
J. E. Joslyn.
A. Lee.
P. M. Cowen.
Robert Polk.

Mr H. M. Purefoy.
O. P. Richardson.
J. C. Rollins.
A. H. Spears.
J. S. Stephenson.
S. L. Strong.
C. W. Danksley.

So the House refused to pass the bill.

Pending the vote.

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Mr Mitchell, (when his name was called,) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal. Viz: -

Mr Speaker:

I am opposed to the general features of the bill, and dislike to vote for any bill which I consider gotten up in the interest of any party. But, in as much as there are several new Counties which have not been attached to any Congressional District and I believe the same will cause trouble in the coming election, therefore - I vote, Aye.

Mr M. C. Bellaw, (when his name was called, sent to the Clerk's desk the following explanation of his vote, and asked that it be spread upon the Journal, Viz:

Mr Speaker:

I can see nothing in this bill but a political swindle - and I believe that such measures will drive from us all our Republican friends in the Constitutional Convention, and I believe further, that a minority should have representation. I am opposed to Republican appliances and also to Democratic appliances.

Mr Walker, (when his name was called) sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, Viz:

Mr Speaker:

In voting for this bill, I do so, not because I am in favor of this bill as it is; but without the passage of some bill making an apportionment - eight Counties of the State are left without being attached to any Congressional District. And for that reason. I vote, Aye.

After the vote had been announced:

Mr Crowley, appeared within the bar of the House and asked that he be allowed to vote.

Mr J. N. Perry, (Mr Cate in the Chair) made the point of order that Mr Crowley, not being in the House at the time the vote was

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announced, was not entitled to a vote.

The Speaker, (Mr Bates, in the Chair) ruled the point of order well taken.

Mr Crowley, continued to ask that he be allowed to vote.

When

Mr J. H. Perry, came to the Clerk's table and being informed by the Assistant Clerk, that, the vote stood 29 in the affirmative, and 31 in the negative, withdrew his objection.

And

Mr Crowley, was permitted to vote.

Mr Prudden, subsequently sent to the Clerk's table the following explanation of his vote, and asked that it be spread upon the Journal, viz:

Mr Speaker:

This bill out-herods Herod - Do right if the Heavens fall. I vote - No.

The vote was then announced again, by the Assistant Clerk, as above.

Mr B. H. Johnson, moved that the Speaker be authorized to appoint a Select Committee of three to meet and confer with the Committee appointed by the House of Representatives of the United States.

On motion of Mr King.

Ordered, that the motion lie on the table.

Mr J. H. Perry, (Mr Cate, in the Chair) moved that the Speaker be authorized to appoint a Select Committee of three to wait upon and notify the Senate, of the readiness of the House to receive the Senate in Joint Session for the purpose of balloting for three persons to audit and examine accounts for dispensing the funds appropriated for the Military forces.

The Speaker (Mr Cate, in the Chair) appointed as such Committee Mr B. H. Crowley, F. Doswell and L. W. Davis.

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May 28, 1874.

Joint Session of the two Houses of the General Assembly.

The Senate preceded by their officers, appeared within the bar of the House and were seated, the Lieutenant Governor in the Chair.

By direction of the Lieutenant Governor,

The Roll of the Senate was called by the Secretary of the Senate, and
The Roll of the House of Representatives was called by the Clerk of the House; when it appeared that a quorum of both houses were in the Convention.

The Lieutenant Governor, announced that the two Houses had assembled in Convention, for the purpose of balloting for a military Commission to dispense the funds appropriated to pay the militia forces of the State.

Nominations being in order.

Senator Torrans, nominated John Hassell.

Senator Bunn, nominated B. B. Beavers.

Representative McClellan, nominated J. B. H. Scott.

Representative Chapline, nominated S. L. Griffith.

No further nominations being made.

The Convention proceeded to vote *viva voce* for one person as a member of the Military Commission to audit and examine all accounts for the purpose of dispensing the funds appropriated to the military forces, as contemplated by the act of the present General Assembly, entitled, an act authorizing the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same.

When it appeared that the following named Senators voted for B. B. Beavers, viz:

Senators Askew, Beldin, Brown, Bunn, Duke, Frazer, Lovejoy, M^c Cabe, M^c Chesney, Pollard, Ratcliffe, Scott.

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The following named Senators voted for John Wassell, viz:

Senators Dawson, Sawyer, Torrans, White.

Senator Jones, voted for J. R. H. Scott.

The following named Representatives voted for B. B. Beavers, viz:

Mr O. P. Anderson,	Mr M. M. Duffie,	Mr William Murphy,
H. H. Arnold,	J. P. Eagle,	D. J. Montgomery,
A. E. Beardsley,	H. W. Files,	X. J. Pindall,
W. A. Beasley,	J. M. Foster,	J. T. Preston,
D. A. Bidenthal,	L. D. Gilbreath,	W. H. C. Reid,
J. B. Burton,	J. M. Gist,	J. T. Smith,
W. D. Carter,	J. W. Gossett,	J. J. Slaughter,
W. H. Cate,	D. G. Hart,	J. M. Thompson,
David Chandler,	W. W. Hughey,	J. W. Thomason,
J. D. Chaplin,	D. J. Hynds,	J. D. W. Miller,
Charles Coffin,	A. D. King,	John C. Walker,
J. D. Conway,	C. C. Johnson,	J. T. Wheeler,
B. H. Crowley,	L. L. Johnson,	A. J. Wheat,
J. T. Cunningham,	P. K. Lester,	Joseph Wright,
F. Doswell,	A. J. Marsh,	X. L. L. Thompson
J. F. Davies,	L. B. Mitchell,	The Speaker.

The following named Representatives voted for J. R. H. Scott, viz:

Mr L. W. Davis, Mr M. E. Erwin, W. Foreman, Mr Hixon, W. J. McClellan, G. S. Scott, L. C. White.

The following named Representatives voted for John Wassell, viz:

Mr M. E. Hawkins, B. M. C. Guire, J. W. Williams.

The following named Representatives voted for S. L. Griffith, viz:

Mr S. P. Swepston, J. P. Venable.

Recapitulation of the joint vote.

B. B. Beavers received— 60 votes.

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John Hassell, received 7 votes.

J. A. H. Scott, received 8 votes.

S. L. Griffith, received 2 votes.

Whole number of votes cast - 77.

Necessary to a choice - 39.

B. B. Beavers, having received a majority of all the votes cast was declared duly elected a member of the military Commission.

Nominations being again in order.

Senator Dawson, nominated David A. Robinson.

Senator Torrans, nominated John B. Burton.

Senator Frierson, nominated J. T. H. Diller.

Representative Diller, nominated J. P. Eagle.

No further nominations being made.

The Convention proceeded to vote viva voce for a second person as a member of said military Commission, when it appeared that the following named Senators voted for John B. Burton, viz:

Senator Askew, Beldin, Brown, Bunn, Duke, Jones, Lovejoy, McCabe, M. Chesney, Pollard, Ratchiffe, Sawyer, Scott, Torrans.

The following named Senators voted for J. T. H. Diller, viz:

Senator Frierson. White -

Senator Dawson, voted for David A. Robinson.

The following named Representatives voted for John B. Burton, viz:

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Mr O. P. Anderson.	Mr Mr. Duffie.	Mr H. J. Marsh.
H. H. Arnold.	J. P. Eagle.	L. B. Mitchell.
W. A. Beasley.	A. W. Files.	W. J. M. Chellaw.
D. Bridenthal.	J. M. Foster.	D. J. Montgomery.
D. D. Brock.	L. D. Gilbreath.	X. J. Pindale.
J. P. Burton.	J. M. Gist.	J. D. Preston.
W. B. Carter.	J. W. Gossett.	W. H. C. Reid.
W. H. Cato.	D. G. Hart.	J. Y. Smith.
David Chaudler.	Mr. Nixon.	J. J. Slaughter.
J. B. Chaplin.	W. W. Hughes.	J. W. Thomason.
Charles Coffin.	D. J. Hynds.	J. D. W. Diller.
J. D. Conway.	A. D. King.	John C. Walker.
P. H. Crowley.	B. W. Johnson.	J. Y. Wheeler.
F. Dosewell.	L. L. Johnson.	A. J. Wheat.
L. W. Davis.	A. Lee.	L. C. White.
J. F. Davies.	O. K. Lester.	Joseph Wright.
		The Speaker.

The following named Representatives voted for David A. Robinson, viz:

Mr A. E. Beardsley. Neill Brown. W. Foreman, C. C. Johnson.
William Murphy. B. M. Guire.

The following named Representatives voted for J. D. W. Diller, viz:

Mr Mr. E. Hawkins. R. Joyner. G. S. Scott, J. W. Williams.

The following named Representatives voted for J. P. Eagle, viz:

Mr J. P. Burton. Mr. Mr. Erwin. S. P. Swepston.

Recapitulation of the Joint vote.

John B. Burton, received - 61 votes.

David A. Robinson, received - 7 votes.

J. D. W. Diller, received - 6 votes.

J. P. Eagle, received 3 votes.

Whole number of votes cast 77.

May 28, 1874.

Necessary to a choice 39.

John B. Burton, having received a majority of all the votes cast was declared duly elected an additional member of the Military Commission.

Nominations being again in order.

Senator Brown, nominated J. P. Eagle.

Senator Dawson, nominated David A. Robinson.

Senator Torrans, nominated John Wassell.

Senator Duke, nominated J. H. Perry.

Representative Highey, nominated Mr. Mr. Erwin.

No further nominations being made.

The convention proceeded to vote *viva voce* for a third person as a member of said Military Commission, when it appeared that the following named Senators voted for J. P. Eagle, viz:

Senators Askew, Brown, Cunn. Frierson, Jones, Lovejoy, McCabe, M. Chesney, Pollard, Ratcliffe Sawyer, Scott.

The following named Senators voted for David A. Robinson, viz:

Senators Dawson, Duke, White.

The following named Senators voted for John Wassell, viz:

Senators Peldin, Torrans.

The following named Representatives voted for J. P. Eagle, viz:

Mr O. P. Anderson,	Mr W. A. Beasley,	Mr W. B. Carter.
H. H. Arnold,	D. Briedenthal,	W. H. Cate.
H. H. Barton,	J. B. Burton,	David Chandler.

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Mr J. B. Chapline.	Mr J. M. Foster.	Mr P. K. Lester.
Charles Coffin.	L. D. Gilbreath.	A. J. Marsh.
J. D. Conway.	J. M. Gist.	L. B. Mitchell.
A. H. Crowley.	J. W. Gossett.	W. J. McCallan.
F. Daiswell.	D. G. Hart.	D. J. Montgomery
L. W. Davis.	Mr. E. Hawkins.	X. J. Pindall
J. F. Davies.	Mr. Nixon.	J. T. Preston.
Mr. W. Duffie.	D. J. Hynds.	W. H. C. Ried.
A. W. Files.	B. W. Johnson.	J. F. Smith.
* W. Foreman.	L. L. Johnson.	J. J. Sumpster.
J. M. Thompson.	* J. J. W. Tiller.	* J. F. Wheeler.
T. W. Thomason.	J. P. Venable.	L. C. White.
L. L. Thompson.	John C. Walker.	Joseph Wright.
		The Speaker.

The following named Representatives voted for D. A. Robinson, viz:

Mr A. E. Beardsley, J. P. Eagle, Mr. E. Hawkins, C. C. Johnson, William Murphy, J. M. Guire, G. B. Scott, A. J. Wheat, J. W. Williams.

Mr S. W. Swepton, voted for J. H. Berry.

Recapitulation of the Joint vote.

J. P. Eagle, received — 61 votes.

David A. Robinson, received — 13 votes.

John Nassell, received 2 votes.

J. H. Berry, received 1 vote.

Whole number of votes cast, 77.

Necessary to a choice, — — 39

J. P. Eagle, having received a majority of all the votes cast, was declared duly elected an additional member of the Military Commission

Then

On motion of Mr Chapline, The convention adjourned.

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The Speaker, having resumed the chair,
the following resolution, viz:

Mr Coffin, submitted

Resolved, That the Speaker be authorized to appoint a Committee of (3.) Three members of this House, to meet and assist the Committee appointed by the House of Representatives of the U.S. in their investigation concerning the Government of the State of Arkansas.

After debate thereon.

On motion of Mr Benthall.

Ordered, That the resolution lie on the table.

Mr Coffin, introduced the following Joint Resolution (H. J. Res. 12) which was read a first time, viz:

A Joint Resolution.

Be it Resolved, by the General Assembly of the State of Arkansas,
1st That the law-abiding citizens of Arkansas, regardless of past party affiliations, having united for the protection of lawful government, and by their efforts having secured measures that will result in the return of the State Government to the hands of the people of the State, and the perpetuation of civil liberty and republican government, we invite the closest scrutiny by Congress or any other lawful authority, both as to the spirit and consequences of our action here; but that we deprecate and protest against any partizan inquisition, pretending to be an investigation.

2nd That the people of Arkansas are able and willing to assume the responsibility of self-government and appeal to the constitution of the United States and the genius of republican government for the opportunity to vindicate their authority and ability so to do.

On motion of Mr Sumpter.

The joint resolution was amended by striking out the words, "Be it resolved by the General Assembly of the State of Arkansas," and inserting in lieu thereof the words "I move that it is the sense of the House."

Mr Brown, moved that

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the motion as amended lie on the table.

Which was not agreed to.

The question being on the adoption of the motion.
After discussion.

On motion of Mr Smith.

Ordered, That
the motion lie on the table.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber,

Little Rock, Ark. May 28th 1874.

Mr Speaker;

I am instructed by the Senate to inform your honorable body of the passage by the Senate of H. B. No. 73, entitled an act making appropriations to supply deficits in the State departments.

Also, of House Bill No. 22. An act providing for the removal of the County seat of Green County.

Also, House Bill No. 75. an act to be entitled, An Act to attach the County of Lonoke to the first Congressional District;

and herewith respectfully return the same.

W. W. Orrick Secretary

On motion of Mr Erwin.

The thanks of the House were extended to the Speaker of the House & other officers connected therewith for the prompt and impartial manner in which they have severally discharged their respective duties.

Mr White, submitted the following motion which was read and under the operation of the previous question was agreed to viz:

I move that it is the sense of the House:

1st That the law-abiding citizens of Arkansas regardless of past party affiliation having united for the protection of lawful government, and by their efforts having secured measures that will result in the return of the State Government to the hands of the people of the State, and the

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perpetuation of civil liberty and republican government; we invite the closest scrutiny by Congress or any other lawful authority, both as to the spirit and consequences of our action here, - but that we deprecate and protest against any partizan inquiry pretending to be an investigation.

2nd That the people of Arkansas are able and willing to assume the responsibility of self-government, and appeal to the Constitution of the United States, and the genius of Republican Government for the opportunity to vindicate their authority and ability so to do.

A message from his Excellency the Governor, by Maj. C. A. Woods, his private Secretary, viz:

Executive Office,

Little Rock, Ark., May 28th 1874.

To the Speaker of the House of Representatives,
+ the Members thereof.

I have approved and signed, An Act entitled, An Act defining the line between the Counties of Pope and Conway.

And herewith transmit the same.

Elisha Baxter,

Governor of Arkansas.

A message from the Senate, by Mr Orrick, their Secretary, viz:

Senate Chamber,

Little Rock, Ark., May 28, 1874.

Mr Speaker:

I am instructed by the senate to inform your honorable body of the passage by the Senate of H. B. No. 9 entitled An Act to be entitled, an Act to repeal an Act to regulate the publication of legal notices, Approved July 14, 1868, and to provide for the manner of such publications.

And of the substitute for H. B. No's. 29 and 42, a bill to be entitled, an Act to regulate the Licensing of Drugg-shops, and for other purposes; and herewith respectfully return the same.

W. W. Orrick, Secretary.

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On motion of Mr. Burton.

The House passed to the consideration of the bill of the Senate (S. 19.) entitled, An Act supplemental to an Act providing for a Convention of the people of the State of Arkansas, to frame a new Constitution.

Mr. Burton moved,

That the rules be suspended and that the bill be read a second time.

Which was not agreed to (two thirds of the members present not voting therefor.)

On motion of Mr. Erwin,

The House passed to the consideration of the bill of the House (H. R. 28.) entitled, an Act to repeal an act entitled, An Act for the benefit of the Arkansas Institute for the Blind. Approved April 23. 1873.

Mr. Brown, moved that the further consideration of the bill be indefinitely postponed.

Pending the consideration of the motion.

The hour of 12 o'clock, M. having arrived.

The Speaker rose and said:

Gentlemen of the House of Representatives:

I desire in taking leave of the Members of the House, to tender to each and to all my sincere thanks for the courteous manner in which I have been uniformly treated by you during the brief time I have been your presiding officer; and while I have differed in a few instances from the majority of the House, as to the policy of the adoption of some measures, I doubt not that our legislation will result in great relief to the people of our unfortunate State. I desire to express my gratitude for the kind consideration which you have shown me; and if I have at any time thoughtlessly wounded the feeling of any of the Members of this body, during our necessarily hasty deliberations, I humbly tender my apology therefor. I sincerely hope that the actions of this body, will

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redound to the permanent peace, happiness and prosperity of the people of Arkansas.

And now, Gentlemen. In accordance with the provisions of a joint resolution for that purpose, I declare you, as the House of Representatives, adjourned until 12 o'clock M. of Monday, the 7th day of December 1874.

And thereupon.

The House, at 12 o'clock, M. adjourned, to meet again on Monday, December 7. 1874. at the hour of 12 o'clock, M.

Approved:

Chas Reid J.

Clerk of the House.

James H. Berry
Speaker of the House

Little Rock. Ark

July 17th 1876

The undersigned Committee appointed by J. H. Berry, Speaker of the House of Representatives "to superintend the enrollment of Bills, and the preparation and signing of the Journals," have examined the Journals of the House, and certify the same to be a true copy of the original, with the following corrections, which have been made before the signing thereof to wit: On the 36th Page. last line - interlined "to convene the Legislature" - 37th Page. 9th line - the word "who" erased - on the 45th Page. 34th line, added - "under a suspension of the rules" - 128th Page. 18th line - after County - is added, "in this State to that of Anthony" - 144th Page. 31st line - added - "the Journal of the day was read and approved" - 196th Page. 8th line, after the word consent, interlined, "the substitute bill was read a first time"

J. D. Eager
J. B. Chaplin

} Committee